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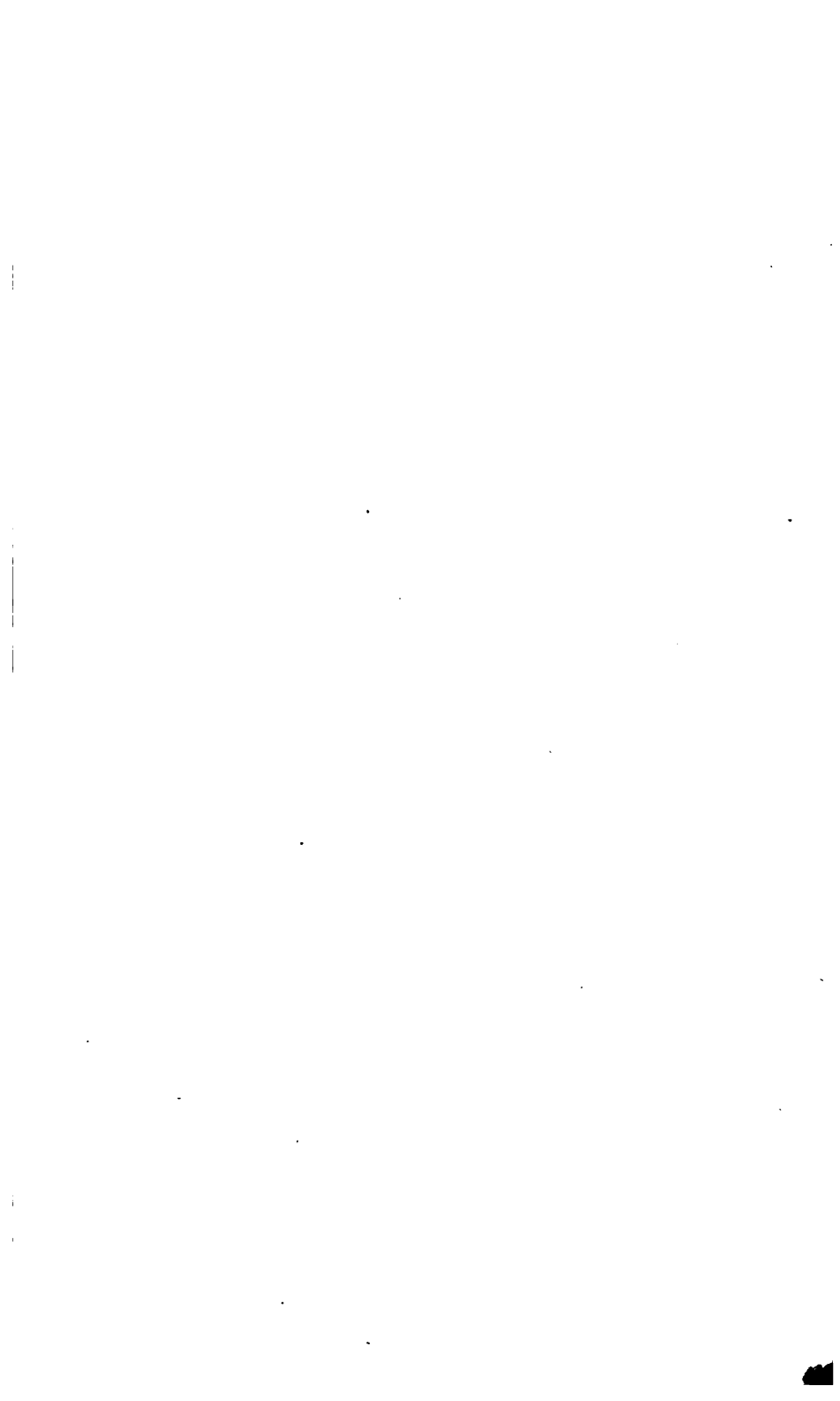


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THE
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P204.1

INDEX.

	<i>Page.</i>
Address to the Public.....	1
Ancient Oracles.....	272
Anecdotes of the Greyhound.....	203
Anglo-Norman Institutions.....	344
Attempt to assassinate the King of Poland, in 1771.....	216
Caligula's Horse.....	149
Causes of the Revolution in South America.....	37
Character of Julius Cæsar.....	107
Chemistry of the Ancients.....	138
Conspiracy of Count Fiesco, at Genoa.....	306
Crimes and Punishments, On.....	100
Cruelty to Animals.....	162
Destructives and Conservatives.....	193
Distinction of Ranks in Society, On.....	293
Domailerie Cottage (The), a Guernsey Legend.....	359
Don Pedro and Donna Inez de Castro.....	298
Elwes (John), the Miser.....	337
Essay on Titles and Honours.....	152
Executioner of Charles the First, The.....	269
Food and Nutriment of Plants, On the.....	23
First Principles of Political Government, On the.....	65
Godolph, the Shell Gatherer; a Tale of the Netherlands.....	11
Guernsey and Jersey, Relative Taxation of.....	377
Guernsey—Agriculture of.....	243
Ancient Commercial Privileges of.....	363
Antiquities of.....	49
Billet d'Etat on the Harbour.....	370
Communication with England.....	375
Country Hospital.....	316
Easter Chief Pleas.....	312
Elizabeth College.....	189
Local Correspondence.....	121
— Intelligence.....	255
Proposed New Pier.....	244
Remarks on the "Billet d'Etat".....	58
Sentence of the Royal Court in the affair of the Commercial Arcade.....	320
Sketches of—No. 1.....	308
—No. 2.....	367
Summary of Monthly Local Intelligence.....	252
Tax Question, The late.....	113
Jersey—Chapel of La Hougue-Bie, The.....	375
Sion House Academy.....	253
Testimonial to the Bailiff of Guernsey.....	256
Lectures (Ollivier's) on the Properties of Atmospheric Air.....	52, 183
On Combustion.....	248, 316

	<i>Page.</i>
Maria Ashton	202
Montgomery Martin's History of the British Colonies	176
National Wealth, On.	257, 321
Natural Beauty, On.	110
Nature and object of Political Government.	129
Operas of Quinault.	208
Origin and progress of the Arts.	281
—— of Cards.	242
—— of Navigation.	228
Originality of Dr. Franklin.	45
Poetry—Contentment.	137
Editor's Prayer to Apollo, The.	72
Elegy in a School Room.	231
Kentish Ballad, The.	349
Lake of Geneva, The.	199
Lines addressed to the Critics.	9
Midnight Review, The.	22
Pleasure, On.	336
Sarnian Melodies, Nos. 1 and 2.	379
Sympathy, Friendship and Love.	267
Pretended Dauphin, The.	166
Prince Menzikoff.	301
Progress of the Mexican Revolution.	236
Propagation of Animals.	73
Recollections of Harrow.	285
Reform of the House of Lords.	155
Rollo, the Conqueror of Normandy.	351
Roman Clocks.	234
Siege of Syracuse, The.	76
Signs of the Weather, On the.	84
Specimens of the Vocal Poetry of France.	29
—— of the Poetry of Jean-Baptiste Rousseau.	143
Tapestry of Bayeux, The.	354
Tomb of Washington, The.	277
Tupper's Family Records.	124
Useful Projects.	380
Writings of Le Franc de Pompignan.	86

THE
GUERNSEY & JERSEY MAGAZINE.

JANUARY, 1836.

ADDRESS TO THE PUBLIC.

A PREFACE is the medium through which a writer is permitted to introduce himself to his readers. In availing ourselves, on the present occasion, of this privilege of authorship, we desire to explain at some length the scope, character and tendency of this Magazine, to point out the objects which it will attempt to compass, to make known the materials of which it will be composed, and to state the principles on which it will be conducted.

Whoever reflects on the current affairs of life, or throws a retrospective glance on the history of past times, cannot fail to detect in the constituent elements of society the principles of constant change and gradual progression. The mind of man is active, restless, and insatiably curious ; every new fact discovered is but a stepping stone to further research, and the appetite for knowledge, instead of being surfeited or palled, grows keener and keener after each repast. The understanding has every attribute of expansibility, and unless forcibly repressed by the strong arm of despotism, or deadened by the torpor of superstition, the genius and intellect of man will incessantly seek after fresh objects to gratify his taste, to minister to his wants, to elevate his moral feelings, and improve his social condition. The fool alone is sluggish and remains stationary ; his contracted mind never enlarges the sphere of its ideas : he cannot advance with the tide of civilization, but resembles the country lout, who, standing on an open plain, fixes the limits of the universe by his horizon, which the wise man justly considers to be only the boundary of his sight.

In tracing the history of man from primitive barbarism to final civilization, the principle of change and progressive amelioration is visible at every step. He commences existence as a savage : the protecting branches of a tree, a natural cavern, or the hollow of a rock, are his places of rest and shelter ; wild roots are his food, and water his drink. Emerging from this most forlorn of conditions, he becomes a hunter, if living in the interior of a country ; a fisher, if he dwells on the coast. As

soon as he has learned to subdue the tamer animals and reduce them into possession, he assumes the character of a shepherd. By an easy and obvious gradation, the agricultural æra next succeeds, for the same motives which induced the shepherd to acquire an ownership in his flocks and herds, prompted the farmer to extend this principle of exclusive occupancy to land and divide it into regular allotments. But food alone is insufficient for man. He requires a dwelling, clothing, domestic furniture, and implements. Accordingly we find that as civilization advanced, the division of labour was concurrently established, and a distinct class of the community devoted themselves to manufactures. From this date, society began to branch out into very numerous ramifications. Cities were built in which some particular trade was specially pursued, as local circumstances proved more favorable to one species of commodity than to another, and the wholesale merchant was separated from the retailer. The town and country acted and reacted on each other, and the rural and mechanical population provided for their mutual wants by the intervention of barter. The benefits accruing to each were soon felt, and a sense of common interest led to the formation of roads to facilitate intercourse, and to the establishment of markets, in which the aggregate produce of labour was concentrated in one convenient spot.

But the onward movement of civilization did not stop with internal trade. Ships were navigated to neighbouring lands, and the sea, though an apparent limit to foreign communication, proved a cheaper mode of conveyance than land carriage. It was soon perceived that different parts of the globe had different climates, and that commodities denied to one country were redundant in another. Hence the origin of external commerce. The discovery of the properties of the magnet conquered space, and the sailor fearlessly pursued his way over the trackless ocean. Astronomy came to the aid of the magnet, and by teaching the secret of finding the longitude by lunar observations, disarmed the most remote navigation of all its terrors. Contemporaneously with these triumphs of intellect, machinery of every description was intently studied: chemistry was applied to the useful arts, and the magical powers of steam, like the gigantic strength of the Briareus of fable, invested every artificer with a hundred arms.

Who, that reflects even on this rough and scanty outline of the progressive civilization of society, can deny the truth of the general principle on which we have insisted, to wit, that man is imbued with desires to improve his condition and gifted with capacity to accomplish those desires. In art, in science, in literature, in mechanism, in civil engineering, in whatever department man has exerted his genius, he has extracted pure ore from the rich mint of nature. His very errors have been the heralds of truth. The attempts of the Alchemist to find the philosopher's stone have led to the discoveries of modern chemistry, and the researches after the Elixir of

Life conduced to the perfection of medical science. Invention is the highest of the faculties, and it is the gift of few ; but when an original idea is once struck out, hundreds, nay thousands, have the talent not only to improve it, but to apply it to the various wants and comforts of mankind. Compare the first hut built by man with existing structures : contrast the first boat that ever swam the sea with the productions of naval architecture : imagine the first road that ever was formed, and then turn your minds to carriages impelled by steam on iron railways. If you reflect and trace in your minds the progressive development of civilization from the initial point of barbarism down to our times, you must conclude that man was created, not to be a stationary or retrograde being, but a being admirably fitted in every respect to advance in moral and social improvement.

The revilers of the human race who, partly from sheer ignorance and partly from morbid selfishness, wish to choke and dam up the stream of political amelioration and stagnate its waters, are constantly invoking the wisdom of our ancestors and warning posterity against moving one inch beyond the beaten paths of their forefathers. But who are these ancestors to whom appeal is made ? are they the aboriginal Britons of whom we only know that they were destitute of clothes, and were wont to smear their bodies with paint ? Is the Norman æra the standard of purity, when the serfs were slaves, and sold with the cattle that ploughed the ground ? Or shall we select the times of the Plantagenets, when the country was torn asunder by civil war, and the white and red roses were steeped in the blood of thousands of our countrymen ? Perhaps we may be referred to the age of the Tudors, and be told to admire the adulteries and murders of Henry the Eighth, the rabid bigotry of Mary, and the remorseless despotism of Elizabeth ? Or must we learn political and moral wisdom from the Stuart dynasty, and unite into one bright model the pedagogue emptiness of the first James, the dissembling insincerity of the first Charles, the profligate libertinism of Charles the Second, and the treachery, baseness, and superstition of James the Second ? Or shall we seek for perfect virtue in a nearer approach to modern times, and hope to find it in the memorable declaration of the minister Walpole, who boasted that he knew the price of every member of the House of Commons ? Or must we descend to the reign of George the Third, a reign streaming with blood, commemorative of the legalized murder of the human race on sea and land in the four quarters of the globe : a reign which mortgaged the labour and intellect of the living and of future generations, first to enslave America, which has established her freedom ; secondly to restore to the throne of France that hated race of Bourbons, who are now vagrants on the Continent ; a reign emphatically antichristian, being one continued violation of the divine commandment "Thou shalt not kill : " a reign in which oligarchical power, erected on the ruins of pre-

rogative and privilege, usurped all legislative authority in the domination of rotten boroughs ? If the wisdom of our ancestors is to be found any where, it must be detected in some one or other of these periods of history, or else the expression is an unmeaning sound. Let the advocates of the stationary system pick out any one that they please : we, who insist on the progressively advancing system, reject them all.

How monstrous then is the fallacy of directing the minds of the present generation to precedents drawn from antiquity ? The foundations of the British Constitution were laid in the times of Feudalism, when none, except the clergy, could read or write. In those days the Great Council of the nation were solely occupied in regulating matters of war. The Lords Spiritual had no other policy than scheming to outwit the king and the Lords Temporal. When these three sections united and made common cause with each other, their sole object was to plunder and enslave the people. Are we who live in the nineteenth century to respect the authority of those usurpers, who, partly by force and partly by fraud, endeavoured to keep the mass of the population in bondage, and check the advance of civilization ?

What could our ancestors know of the wants of modern society ? Since they have mouldered into dust, a new world has been discovered : America has become wealthy and populous : Australasia is rapidly following her example : the vast continent of India is an appendage to the crown ; a regular trade is carried on with the distant shores of China : and so extensive have our colonial possessions become, that the sun never sets on the British Empire. What did our progenitors know of the true principles of trade ? What ideas could they entertain of foreign commerce ? What progress had they made in manufactures ? What opinions could they have formed of the magical powers of modern machinery ? Could they ever have supposed, in the boldest flight of imagination, that a national debt would have been accumulated vastly exceeding in amount the value of all the gold and silver in the world, and that the interest of that debt would be regularly paid by steam ? Is it not, then, sheer impudent folly to call on the people of the nineteenth century to regulate their affairs by the wisdom of their ancestors, who could neither read nor write, and who could not possibly form the most distant conceptions of the existing relations of society ?

The conclusion, then, to which we arrive, is this : That common sense recommends every generation to think for itself, to consult its own immediate interests, and study its own character : and, instead of looking backward to look forward, always taking the present time as the initial point from which it ought to start in the career of progressive amelioration. In every art and science this rule is invariably adopted, and if it were not, all knowledge would become stationary, and soon begin to retrograde. The astronomer, the anatomist, the engineer, the merchant,

the mechanic, all make use of the discoveries of their predecessors and of the materials they accumulated; but not one of them halts and stops, or exclaims that *this* or *that* is a final measure, a *ne plus ultra*, a boundary not to be passed; quite the contrary; each, in his respective pursuit, converts transmitted information into an instrument with which to facilitate future researches. Thus the river of knowledge, being constantly supplied with fresh tributary streams, widens its banks and deepens its channel, and, as it rolls along, spreads its refreshing waters over the whole region of science.

If we investigate the laws by which the physical world is governed, we find them to consist in motion, attraction, and gravitation, and by applying this knowledge to the mechanical arts, man has created a commercial revolution in the production and distribution of wealth. Nations, uninstructed in natural philosophy, make but a slow progress in civilization, for being unacquainted with the latent properties of the elements, they cannot use them as agents. But when we have become acquainted with their nature, we are able to subdue them, to mould them to our will, to make them our auxiliaries, and render them subservient to our wants and wishes. Time was when man roamed about in a state of nudity, and scratched the soil with his fingers or loosened it with a rude stick. Such must have been the origin of agriculture, and agriculture is the first in order of all the arts. Pass in mental review the wide interval included between this initial point of civilization and the present period, and consider the multiplicity of invented tools which the genius of man has constructed to facilitate his labours in the various stages of social progression, and then deny, if you can, the principle of change and the capacity of human improvement; deny, if you can, that the grand lever of civilization is a cultivated understanding.

Since a knowledge of the laws which govern the physical world gives man the power of commanding and directing the elements, so also does a knowledge of the laws which regulate the human mind, make man acquainted with the principles of human action. Those principles influence our individual and social condition and conduct. Philosophers have ranged them under three divisions, the mechanical, the animal, and the rational; the two former being common to man and brute, the latter being the exclusive and distinctive prerogative of man. They have also pointed out the line of demarcation which separates instinct from reason, which, in many cases, have so strong an apparent resemblance to each other, that they have been confounded together. Instinct is a limited faculty, and its limitations are easily determined: but reason is an unlimited faculty, at least no man can assign its boundaries. From instinct, the bee constructs its comb: the beaver, its dam; the bird, its nest. These they accomplish to perfection, but they cannot form any thing else. Moreover, they never improve or pass a certain limit: bees have precisely

the same habits now as they had in the days of Virgil. No succeeding generation of birds, beasts, fishes, or insects, is superior to the preceding one : they learn nothing from experience ; they are a species of animated mechanism, discharging perfectly well the functions of their organization, but never attempting any thing that was previously unknown to their race. How different is the case with reason : it has every attribute of elasticity and expansibility : it is curbed by no reign, but advances onward from fact to fact, from phenomenon to phenomenon, from the most simple idea to the most complex proposition.

The principles of action develop themselves as the human being progresses from infancy to manhood, and as his intellectual faculties are expanded. The actions of an infant are purely mechanical, as for instance sucking and swallowing. These are very complicated operations, and unless children could perform them from instinct, they would die as soon as born, and the earth be speedily unpeopled. In the period of adolescence the animal passions begin to exhibit themselves. On the right or wrong use of these, human happiness materially depends. For instance : hunger is an animal desire. Superstition induces the fanatic to abstain from eating a sufficiency of food, and makes fasting a religious duty. Gluttony drives the gourmand to the opposite extreme. In both these cases, the animal passion is abused, and disease, perhaps premature death, is occasioned either by starvation or repletion. The sensible man steers the middle course, and renders his appetite subservient to his health. The same reasoning may be applied to drinking, to lust, to bodily exercise, and to the whole animal economy of our nature. When the judgment is matured, and habits of reflection are formed, the rational principles of action gain the ascendancy, and these controul the animal passions and restrain their abuse. Now it is precisely on this account that education is invaluable, because it alone can fully develop the intellectual faculties, and make reason triumphant over the passions. This holds true, not only in respect to individuals, but the rule may be extended to nations, which are composed of masses of individuals, and on this ground we maintain that national education ought to be the chief duty of every government.

What, in fact, constitutes the true greatness of a country ? Is it wealth ? No. The riches of India could not save her from British aggression : nay, her gold and silver attracted the invader, whom they could not repel. Is it an extended surface of territory ? Certainly not. So far as square miles are concerned, Turkey is an important country, but she is the very reverse of powerful, nor are her inhabitants happy. Is it a numerous population ? Far from it. China holds more living beings than all Europe, and yet she is vastly inferior in true greatness to the small state of Holland. The strength and happiness of nations, therefore, as well as of individuals, depend on the exercise of the mental

faculties and the ascendancy of the rational over the animal principles of action. In this consists the essential spirit of civilization. Where mind is actively developed, society progresses; when it is stagnant, society becomes stationary: where it is enchained, society retrogrades.

Impressed with these sentiments, we shall endeavour to make this Magazine a vehicle for the diffusion of useful and entertaining knowledge among the inhabitants of the Channel Islands. Our object is purely educational, and, provided we furnish intellectual food to our readers, it must be quite immaterial to them from what source it is derived. It is our anxious desire to stimulate into vigorous action the thinking principle, to produce habits of reflection, and create a spirit of inquiry and research. We declare open and unceasing war against prejudice, which is a leaden dead-weight on the elasticity of mind. Our ambition will be to lay down general principles on all the controverted subjects we discuss, and then point out their application to particular cases. We have no respect for opinions merely because they are ancient, or popular, or advocated by any dominant sect or party: they must either be true or false, and on that difference alone their value or their worthlessness depend.

Experience has proved that periodical Literature is one of the most powerful agents in circulating opinion. This species of writing has been recognized in England from the days of Steele and Addison; and though Modern Reviews and Magazines are widely dissimilar from the "Spectator" and "Tatler," yet they are of the same family. The great evil of existing journalism is the rancorous spirit of party by which it is infected, a spirit exclusive, illiberal, factious, and intolerant, which desires rather to secure victory than investigate truth. Thus only one side of a question is brought fairly into view, and a series of ingenious fallacies are invented to mislead and warp the judgment. The community are separated into factions, and each holds extreme opinions. Every middle term, or connecting link of reconciliation or accommodation, is unceasingly attacked and rudely destroyed, while the worst feelings of implacable hostility are inflamed among the different sections of society. Fair play or impartial criticism are out of the question, and an author is praised or censured, not on account of the merits or demerits of his works, but on account of his political opinions. The system adopted in these party publications is merely to discuss some of the minute details of the subjects on which they treat, while general principles are studiously concealed. The writers are thus enabled to present only such portions of the matter in controversy as suit their own purposes, and the great majority of readers, carried away by occasional bursts of eloquence, or deceived by artful sophisms, unwittingly receive a part for the whole, and confound gratuitous assumptions with proved facts. Such, we regret to say, is the character of the principal organs of modern periodical Literature. In their footsteps we are not inclined to walk.

Reflecting on the spirit of the age in which we live, we find it to be eminently distinguished by its intellectual character. The love and pursuit of knowledge has now become an almost universal passion. Literature is cultivated both in the drawing-room of the rich and the cottage of the poor ; in the study of the scholar and the workshop of the mechanic. The press daily teems with new publications, and still the supply never satisfies the demand. Nor is this to be wondered at, if we pay the least attention to the spread of education. Reading and writing are no longer rare accomplishments, and every year throws an accession of consumers into the literary market. Thus the grand intellectual movement is annually sweeping over a more extended space, and acquiring an accelerated velocity, and as it moves onward in its course, it uproots idle prejudices, scarifies the weeds of ignorance, and saps the temples of superstition.

In our generation much has been done for infant education, compared with the efforts of our ancestors, but the schools hitherto established have been the work of individuals, not of the government. Their institution has been voluntary, not compulsory. They are the offspring of private generosity, not of the national will. To the full extent of their action and influence, we regard these infant schools as a blessing to the country, but we lament that their action and influence is too limited. We insist on the policy of educating every member of the community without exception, and we hold this to be the chief duty of the legislature. On a future occasion we propose fully to explain our sentiments on this subject ; for the present, we must content ourselves with observing, that the main object of this Magazine being educational in the widest sense of the term, will endeavour to assist the development of mind in every department of literature and science. It is difficult, not to say impossible, to devise a plan for carrying our wishes into effect, to which many objections may not be raised ; but as we must select some method, we shall at once state the one on which we have decided.

The actual demand for knowledge has naturally created a vast supply, but there is an evil in this excess which requires correction. We must attend rather to the quality, than the quantity, of the articles furnished. In a course of study, time is a most important consideration. An hour employed in the perusal of an ill-written book, is an hour lost. It appears, then, highly desirable that some classification should be made of standard works ; so that every one may know how to form a select library, and possess, as it were, an index of reference to the general subjects of literature. We shall endeavour to accomplish this object by throwing into a condensed form whatever appears valuable in buried learning, so that our readers, at the least possible outlay of time and money, may acquire a knowledge of the thoughts and deeds of past generations. If this Magazine receives public encouragement, then its accumulated

volumes will of themselves form a select collection of useful and entertaining information, within reach of the poorest mechanic who chooses to devote three pence per week, or one half penny per day, to the improvement of his mind.

We shall endeavour to stamp a masculine character on the GUERNSEY AND JERSEY MAGAZINE, and exclude every thing that smacks of small talk or gossip. Our pages aspire to more than a temporary interest or a fleeting popularity. Truth is immutable and general principles are eternal ; neither can be warped or invalidated by caprice or fashion, by fine, imprisonment, or death. It will be our study to collect materials for thinking, and encourage a taste for literary and scientific investigation. Believing that humanity is susceptible of a high degree of social amelioration ; • that man is qualified by his mental organization, and destined by his nature constantly to advance towards perfectibility ; and being convinced that he can only attain to this end by subduing the animal passions and regulating his whole conduct by the rational principles of action, we shall seize every opportunity to recommend the usefulness and enforce the duty of private and public education ; for prejudice and error, illiberality and intolerance, can only be detected and effectually subdued by the open and fearless collision of argument. "One of the great obstacles to the advancement of truth," says Lord Bacon in his *Advancement to Learning*, "is an impatience of doubt, and an unadvised haste to assertion, without due and mature suspension of judgment : for the two ways of contemplation are not unlike the two ways of action, commonly spoken of by the ancients ; of which one was a plain and smooth way in the beginning, but in the end impassible ; the other rough and troublesome in the entrance, but after a while fair and even : so it is in contemplations, —if a man will begin in certainties, he shall end in doubts ; but if he can be content to begin with doubts, and have patience a while, he shall end in certainties." We earnestly entreat our younger readers to treasure up this advice of one of the greatest men that ever lived, and when they have meditated upon it, they will be able to appreciate the solid value of general principles, nor will they hesitate to admit the consequences of those principles, when rightly deduced, even though they should militate against their received opinions. In this consists the whole art of drawing truth out of the well.

LINES ADDRESSED TO THE CRITICS.

SEVERE their task, who in this critic age
With fresh materials furnish out the stage !
Not that our fathers drained the comic store—
Fresh characters spring up as heretofore ;

Nature with novelty does still abound,
 On every side fresh follies may be found.
 But then the taste of every guest to hit,
 To please at once the gallery, box, and pit,
 Requires at least—no common share of wit. }
 Those who adorn the higher sphere of life
 Demand the lively rake, or modish wife,
 Whilst they who in a lower circle move
 Yawn at their wit, and slumber at their love.
 If light, how mirth employs the comic scene,
 Such mirth as drives from vulgar minds the spleen;
 The polished critic damns the wretched stuff,
 And cries: "Twill please the galleries well enough."
 Such jarring judgment who can reconcile,
 Since fops will frown where humble traders smile.
 To dash the poet's ineffectual claim
 And quench his thirst for universal fame,
 The Grecian fabulist, in moral lay,
 Did thus address the writers of his day.
 Once on a time, a son and sire, we're told,
 The stripling tender, and the father old,
 Purchased a jack-ass at a country fair,
 To ease their limbs, and hawk about their ware:
 But as the sluggish animal was weak,
 They feared, if both should mount, his back would break:
 Up gets the boy—the father leads the ass,
 And through the gazing crowd attempts to pass.
 Forth from the throng the grey beards hobble out,
 And hail the cavalcade with feeble shout:
 "This the respect to reverend age you show?
 And this the duty you to parents owe?
 He beats the hoof: and you are set astride
 Sirrah! get down, and let your father ride."
 As Grecian lads were seldom void of grace,
 The decent, duteous youth resigned his place:
 Then a fresh murmur through the rabble ran—
 Boys, girls, wives, widows, all attack the man.
 "Sure never was brute beast so void of nature!
 Have you no pity for the pretty creature?
 To your own offspring can you be unkind?
 Here—Suke, Bill, Betty—put the child behind."
 Old Dapple next the clown's compassion claimed:
 "'Tis wonderment them boobies ben't ashamed.
 Two at a time upon a poor dumb beast!
 They might as well have carried *he* at least."
 The pair, still pliant to the public voice,
 Dismount, and bear the ass—then what a noise!
 Huzzas, loud laughs, low gibe, and bitter joke,
 From the yet silent sire these words provoke:
 "Proceed, my boy, nor heed their further bawl,
 Vain his attempt who strives to please them all."

GODOLPH, THE SHELL GATHERER.

A Tale of the Netherlands.

It is well known that the finest collection of shells in the world is in the city of Liège, where it has been the admiration of travellers for the last hundred years. It was at one time in the archbishop's palace, but is now deposited in a public hall.

To look upon a collection of shells will excite very different sensations in different minds. The conchologist will see in it a system, and will esteem the different specimens, not according to their beauty but their rarity. The mere loungeur will gaze upon it as upon any thing else placed to attract the eye ; while he who sees, in all the works of nature, the hand of a Divine Architect, will recognise, in the beauty and order set before him, another proof of that perfection, which, in stretching out the heavens, remembered also to paint the lily of the field. But there is still another class of reflections, to which this contemplation may give rise.

When I saw, for the first time, this magnificent collection of shells, a multitude of strange imaginings came over me. I thought of the vast labour which must have been employed in searching for the thousands of individual specimens which formed it, and of the distant shores from whence they had been brought. Each individual shell had lain for centuries in the waters of the great deep, till thrown at length, by the constant motion of the waves upon the margin, where they had lain for, perhaps, centuries longer. I felt a desire to know something of the history of this collection, and put some questions upon the subject to the person who attended. "The immense collection," replied he, "which you see before you, and which consists of 137,000 specimens, is the fruit of one man's labour. About one hundred years ago, the Sieur Godolph, who had spent many years in the pursuit, sold the whole of this collection for 150,000 ducats : and his great grandson, who resides in this city, possesses a collection not much inferior to this, formerly the property also of the Sieur Godolph."

After hearing this statement, I left the collection and returned home ; but, for several days, I could think of nothing but the Sieur Godolph. I constantly figured him wandering upon the sea shore, in distant climes, and stooping for shells : and I thought I would give a year's revenue of my estates to know the history of the Sieur Godolph's peregrinations.

One evening, a little more than a week after I had seen the collection, and when my curiosity was beginning in some degree to subside, I went out to walk on that fine quay, which extends along the river side from the bridge at Liège for nearly a mile, lined with trees all the way, and then ending in the beautiful boulevard which stretches a mile further. I was keeping my eyes upon the houses as I walked along, intending to change the dull neighbourhood of the archbishop's palace for the bustle

of the quay, if I should be fortunate enough to find lodgings. While thus occupied, the name "Godolph," printed upon a large bill, attracted my eyes, and I instantly stopped to read : the words of the announcement I do not recollect, nor is it material ; but it was to the purport, that the great grandson of the *Sieur Godolph* was about to dispose, by public auction, of the valuable collection of shells which belonged to his great grandfather, and that the sale would take place the next morning. This incident revived all my curiosity about the *Sieur Godolph*, and I did not fail to be punctual to the hour next day,—after having wandered in my sleep with the *Sieur Godolph* among unknown and distant strands, ever and anon, the shells crumbling to pieces as we lifted them up.

Fancy, when indulged, invests with interest, whatever may happen to be the object of it ; and I found, on entering the house of the grandson of *Godolph*, that I was in some degree satisfying my longings. In the room I was shown into, there were already a few individuals, attracted by the sale. On every side cases of shells were exhibited, and the walls of the room were almost entirely covered with worn-out sketches of foreign-looking landscapes, marine views, strange animals, birds and fishes, and savages in fanciful costume. Every thing around bespoke the residence of a wanderer over the earth.

I had no intention of becoming a purchaser to any extent. I only bought one or two specimens. When the sale was over, the auctioneer said he was instructed to sell one other relic of the *Sieur Godolph*, if he found a purchaser who would give the price put upon it ; if not, it should be sent to the city library. This relic was a manuscript, in which were detailed his wanderings, and particularly the manner in which he became possessed of this vast and unrivalled collection of shells, which had enriched himself as well as the city of Liège. I instantly determined to become the purchaser, be the price what it might. No bidder appeared but myself ; and I, accordingly, became the owner of the manuscript for a hundred ducats. It would be difficult for me to describe the pleasurable sensations which I experienced on finding myself on the eve of having my curiosity gratified. I instantly stuffed the manuscript into my pocket, and hurried home ; and having unrolled my treasure, read—

THE PEREGRINATIONS

OF

THE SIEUR GODOLPH,

THE SHELL GATHERER.

I am now an old man, verging on seventy ; and for the last thirty years I have enjoyed all that my heart could desire—thanks to the perseverance of my earlier days—and thanks, also, to fortune. Here I sit in my arm chair, musing over the incidents of my past life—and an eventful life it has been. "Frederick ! you young rogue, take my pen,

and write as I dictate to you : you have often asked me where I collected all those shells—you shall now hear—my old hand I find is rather too unsteady to write."

I was the youngest son of the Count Joffroi, and had two elder brothers. He lived in that old chateau which stands upon the banks of the Meuse, near to Huy. Our table was every day graced with the game and the fish which the count my father, and my eldest brother, killed, and with the vegetables that grew in the hanging garden. The revenue of my father only sufficed to pay taxes, and the feed of his horse, and the wages of old Joseph, and the cost of powder and shot. My two eldest brothers entered into foreign service, and were killed in the wars : and when I had reached my twenty-fourth year, the count my father died, leaving me heir to his possessions, and burthened with his debts. I felt no inclination to vegetate as he had done ; but determined to turn what I had into money, and go and seek my fortune. When my father's debts were paid, and the price of all that I had sold was collected, I counted one hundred and twenty louis d'ors into my purse—tied a string round it, shook hands with old Joseph, and with all my fortune in my pocket, saving my father's diamond ring, which I had upon my finger, I closed the little gate of the hanging garden behind me, and, turning the corner of the rock upon which the chateau was built, lost sight of the house of my fathers. It was a fine buoyant sensation, that which I experienced in thinking that the world was all before me. I had never before been ten leagues from home. I had a hundred and twenty pieces of gold in my purse, and I felt as if the world, and all its wealth, and all it could yield of pleasure, were at my disposal.

Nothing occurred to disturb those feelings during several weeks, at the end of which time I found myself in Vienna, with my purse somewhat lighter, and not any nearer to Fortune than when I set out in quest of her.

Vienna was no place for an inexperienced youth, with a purse full of gold, and panting after the enjoyments in which life, at that season of years, is supposed to be prolific. During the forenoon and evening I seldom left myself much leisure for thought ; but in the morning, reflections, gloomy enough, would break in upon me ; and I used then to revolve, with much seriousness, upon my prospects ; and my mind was unable to suggest any thing that might reasonably light up the future.

One evening, when I had returned to my lodgings earlier than usual, I began to reason with myself thus : "I have been here, in Vienna, no less than four months, and have never taken one step towards providing against the future : what am I to do when my purse is empty ?" and, with some anxiety, I drew it from my pocket, and emptied its contents upon the table : the table was immediately strewn with copper instead of gold. At first I doubted the evidence of my senses. I rubbed my eyes, and then handled the pieces ; sure enough they were copper—all

copper. The last time I had used my purse was the night before, when, at a coffee house in the Place San Joseph, I drank a bottle of Rhenish with a stranger. I recollected that I fell fast asleep, with my purse on the table, and my hand loosely over it—that when I awoke it was late—the stranger was gone—and my heavy purse still under my hand.

I remained for some time in a stupor: I expected, indeed, to have found my purse lighter—but to find myself penniless! I started up and rushed out of the house, to go to the café where I had last been. It was now about three in the morning—it was in the beginning of July, and the dawn had begun. I went at a quick pace towards the Place San Joseph; and just in entering the square, a man, muffled up, but of whom I distinguished enough to convince me it was the stranger I suspected, hurried past me. I stopped and spoke: he instantly paused and turned round. “Young man,” said he, “you seem flurried.” “I may well be so,” I replied; and I hastily related to him the circumstances under which he had met me. “Whom, then, do you suspect?” said he, fixing upon me a penetrating look. The manner of the stranger increased my suspicions of him; now, I thought, was my opportunity; and it was probable, if not certain, that if I should lose sight of him now, it would be for ever. “I suspect you,” I replied, and attempted to seize him by the collar. Quick as lightning, he drew a short poniard from under his cloak, and would have buried it in my bosom, had I not raised my arm in time to receive the blow upon it, where it inflicted a slight wound. I was a powerful young man, fully my adversary’s equal: and after a desperate struggle, in which I felt that I was struggling for life, I wrested the weapon from him—we both fell at the same instant; and the poniard, which I held in my hand, entered the stranger’s side, and was buried in it to the hilt.

“Young man,” said he, feebly, “your suspicions were just: I took your gold, and I would have taken your life had I been able; but it has happened otherwise. You will find your own in my purse, which is fixed to a girdle under my cloak: there is more in it than yours, but”—he spoke no more, a convulsive shudder passed over him, and life was extinct. The cloak had been torn in the struggle, and the purse was exposed to my eyes. I instantly tore it off.

No sooner did I find myself in possession of the purse, and standing beside the dead body of the stranger, than the peril of my situation came with its full force to my mind. No one in Vienna knew me: here was a man murdered, the bloody poniard (which he had himself drawn from his side) lying on the ground, and myself standing by, with a purse of gold in my hand: circumstances seemed so strong against me, that it was madness to remain a moment, for the morning had so broke, that the whole affair might have been seen; and yet, to fly, would be to proclaim myself the criminal. In either case I felt that crime would fix itself upon

me, and that I must pay the penalty. While thus wavering as to how I should act, to escape the danger which seemed inevitable, and almost determined to throw down the purse and its contents by the side of the stranger, and hurry away, I saw the door of the coffee house, to which I had been going, open, and the master come out, and walk towards me. I waited for him, and as he came up, instantly began to relate my story. "This," said he, interrupting me before I had quite concluded, "is very well composed in so short a time, but I witnessed the whole affair: never was there an honester gentleman, than he who there lies dead,—I have lost a good customer in him. I saw you meet him; I saw you attempt to seize him, and fight with him; and now I see him murdered, and you, standing with the purse which I know to be his, in your hand: who do you suppose will credit your story? You will be sent to the galleys, or the scaffold, that's certain."

I felt that the man spoke with but too much reason, and that his story, and the circumstances together, must condemn me. "But," said he, "hark ye! no one has seen this business but I; if my word can bring you to the gallows, it can save you from it too: divide the gold with me—I will swear he attacked, and would have robbed you, and will bring you off." I felt the extraordinary and dreadful alternative to which I was reduced. This man's evidence would convict me: I must either run the almost certain risk of suffering as a criminal, or acknowledge that I had robbed and murdered, and share my gold with a villain, to purchase his silence. The struggle was but momentary: I would not proclaim myself a villain, even to one man, although none other on earth suspected me. "No," said I, "do your worst: I will rather lose my own, than lie myself into infamy." I threw down the purse and hurried off, leaving my accuser in precisely as critical a situation as that in which I stood before he came up to me.

This reflection did not occur to me at the time: I had no idea, that in thus acting on my own feelings of honour, I was leaving the other to the very fate which I dreaded; but so it turned out. Many years afterwards, when I returned through Vienna, feeling an inclination to renew the sensations which I had before experienced, (for there is at times a strange pleasure in renewing the recollection of critical scenes,) one evening, I went in disguise to the café, in the Place San Joseph; and upon making inquiries respecting Frederick Hoërder—the former host—I learned, that about twelve years ago he had been tried, and executed, on account of an atrocious murder, which he had committed for the sake of plunder, upon a gentleman who had been in the habit of frequenting his house. This intelligence, at first, strangely agitated me. The man had suffered unjustly: but when I reflected upon his character, and still more, when I considered that the fate of this man would have assuredly been mine, I could not regret that Hoërder (who was at all events more guilty than I was) had met punishment in my stead.

But to return—I hurried from the spot, and went at a rapid pace, without any other object, than to get far from the scene in which I had unintentionally been so prominent an actor.

There was a strange discrepancy between my feelings and the aspect of every thing around me. The sun had risen, and gilded with his morning beams the tops of the spires and pinnacles of the palace, which lifted themselves into the calm morning air. All was hushed—the city was yet buried in deep sleep: but my own mind, although, thank God! strong in innocence, was fearfully agitated by doubt and danger.

After a rapid walk I found myself approaching one of the gates of the city. It was not yet open: I loitered about, troubled with the most uneasy sensations, until I could be permitted to pass. Fortunately, but a few minutes elapsed, before five chimed on the clock of the great cathedral. This was the signal for opening the gates. I passed out and no one questioned me. I walked as rapidly as I could, consistently with the danger of exciting suspicion, across the open space which lies between the city and the suburb, and soon found myself on the banks of the river, and close to a pier, upon which two men were employed in detaching a cable which moored a boat to the shore; and from the bustle upon deck, and the appearance of several passengers, it seemed on the point of dropping down the river. I stepped into it, and the next moment we were in the middle of the stream, and rapidly leaving the city behind us.

I had not been many minutes in the boat, when the master came up to me to receive his fare, asking the distance which I intended to go. I was equally unable to comply with the demand, as unprepared to answer the question. I had not one copeck in my possession; and as to telling whither I was going, I did not even know the boat's destination. After a moment's pause, I said, that I had no convenient coin; but putting into his hands a handsome gold watch, which I had purchased when I came to Vienna, I told him to keep it till he was satisfied. However, he refused the pledge, observing that I could pay the fare at Presburg, Roab, or Buda, as I liked best, or at whatever place I should leave the boat.

In a short time, we had left all traces of the metropolis behind, and were gliding noiselessly, but swiftly, from the recent scene of blood and peril.

It is a surprising effect, that which is produced upon unquiet feelings, by the serenity of nature. Where remorse does not mingle with them, the beauty and calmness of the external world can cheat us of our misfortunes, and almost reconcile us to our fate, however dark it may be. It was not three hours since I had stood beside the dying stranger, with almost no hope of escape from the gibbet; and now, I was going, I knew not whither; without money, without object, without a friend,—but I was young, I was in health, and all nature looked so joyful, that I felt as if I had been on a party of pleasure, with my purse full of gold.

I soon discovered from the conversation of those around, that the boat was bound for Belgrade, and I spoke as if that were also my destination. I will not detail the particulars of the voyage; suffice it to say, that on the afternoon of the fifth day we came in sight of Buda—the hill and castle illuminated by the setting sun, which had already left the city to the shades of evening: here I determined to dispose of my diamond ring. I told the master of the boat I should sleep on shore, and as I was considerably in his debt, I insisted upon leaving my watch in his hands: my ring was, therefore, my only resource: I was loth to part with it, but there was no room for hesitation.

Every one who has been to Buda, must recollect the long narrow street that runs up from the river into the heart of the town.* I had not proceeded very far up this street, when I descried, through a window, a person engaged in working jewels. It so happened that my evil genius had conducted me to the shop of one of the most unprincipled villains in Hungary: he had gained enormous riches by his evil practices and extortions—and by means of his wealth, had acquired great influence in the city where he lived. I pulled my ring off my finger, and putting it into his hand, demanded the value of it. He looked first at the ring, and then at me, and alternately for several moments, at the one and at the other. He saw by my appearance, and knew by my dialect, that I was not of his city; and probably guessed that I had arrived by the boat, which regularly stops at Buda on those days, and about that hour. After examining the ring attentively for several minutes, he snapped it in two with an instrument by which he had held it, and let the pieces drop into a box full of other jewels. "How now?" cried I, and I attempted to seize him; but he jerked himself out of my grasp, and out of his shop, the door of which closed behind him with a spring lock. I immediately heard him call out loudly, several times, "Thieves, thieves!" and in a few minutes he re-entered, accompanied by half a dozen others, who laid hold on me, and, without listening to a word, hurried me off to prison.

At an early hour the next morning I was brought to the hall of justice, where the jeweller appeared in the character of my accuser. "This man," said he, "came into my shop late yesterday evening, where, as is my custom, I was working, after all the other merchants had shut their doors, and, under pretence of asking me to value a worthless bauble, he attempted to snatch from me a diamond ring, which I held in my forceps, and was examining with a magnifying glass, and which broke in the struggle. Here is the ring which he asked me to value; and there are the pieces of the ring which he attempted to take from me: his own ring is not worth six ducats, while this other is worth not less than two hundred."

* It must be recollected, that the *Sieur Godolph* speaks of Buda as it was a hundred years ago: there is now a handsome modern street, in place of that which he found.

It was in vain that I protested my innocence, and declared the villainy of my accuser : it was in vain that I told my story, and requested that the captain of the boat in which I sailed should be sent for, to corroborate my detail. "That," said my accuser, "is an impossible demand, since the boat has sailed six hours ago ; and besides, added he, is it likely that a man without one creutzer in his pocket should be possessed of jewels of such value ?" In short, this reasoning prevailed, and I was on the point of being condemned to the galleys, when a thought struck me. "Hold !" said I to the judge, "I have yet something to say that will prove my accuser a liar, and myself an injured man. You have, in your own hands, the pieces of the broken ring which he says is his : bid my accuser tell, of how many diamonds his ring is composed : if the ring indeed be his, he cannot fail to know this, since he has, in your hearing, put a value upon the ring." My accuser hesitated ; but at last ventured to say, that the chief value of the ring lay in the large diamond in the centre, and that of the others he had taken little note. "Then," said I, addressing the judge, "I know more of a ring, which, according to his account, I have seen but for a moment, than he himself knows of his own ring—the ring is composed of nine diamonds ; and in place of the central jewel being the most valuable, there is a flaw in it. Now, ask my accuser if there be any writing in the inside of his ring." Upon this question being put, my accuser answered that there was writing ; but that, as writing did not alter the value of a ring, he had never taken the trouble to decypher it. "Then," said I, "if my accuser be in the right, and the ring his, I must have been able in one moment, and that a moment of struggle, to perceive what he has never discovered even through a magnifying glass—in the inside is rudely scratched the name "Godolph." The roguery of my accuser was now so plain that even his wealth and influence were insufficient altogether to turn the scale, though they hindered the execution of deserved punishment. "I decree," said the judge, "that this stranger be paid by his accuser double the value which he has himself set upon the ring ;"—and before leaving the court I put into my pocket four hundred ducats.

[There is here a gap of seventeen leaves in the journal of the *Sieur Godolph*. These must have contained the history of his peregrinations, from the time when this adventure ended, as we have seen above, until the *Sieur* is on the eve of sailing for India.] The journal proceeds again thus :—

I shall assuredly, said I to myself, find a vessel at this port bound for India, whither I may go and traffic with my gold. I walked on until I reached the quay, which is very long and forms a crescent, and here I determined to abide until I should find a ship bound for India. My inquiries were soon successful ; and, in less than a week, the port of Marseilles was lessening behind me.

I had ample leisure, during my voyage, for reflecting upon the eventful life which I had led since quitting my paternal house. Hundreds, similarly situated, have passed on without the occurrence of a single event to interrupt the calm of life. I seemed a remarkable example of the change-fal destiny which attends upon some individuals. The most trivial causes had to me produced the most uncommon events : circumstances which, in the lives of others, would have led to nothing, or to a jest, had put me in jeopardy of my life. Six times I had been on the point of suffering death or imprisonment as a criminal, and been extricated from danger by means as unpremeditated as the circumstances which had led me into it ; and now, once more, the world was before me. "God grant," said I, "that life may now flow smoother." But my prayer was not yet granted.

Fair winds continued to attend us through the Mediterranean sea and the South Atlantic Ocean ; and without any disaster, we doubled the African cape. Our vessel being bound for Surat, which is the great emporium of the most precious productions of Hindoostan,* the most direct course into the gulph of Persia, lay through the channel of Mozambique, between the island of Madagascar and the coast of Africa. Light airs accompanied our progress until we reached the gulph of Sofala, where we proposed to traffic a little with the natives on the African coast ; and on the 11th August we cast anchor in the channel, about two miles from shore. It was the close of one of those fainting days which occur between the tropics : the sun was getting low in the horizon, and I was reclining upon deck, watching it slowly sink : suddenly I heard from below the cry of "Fire !" and, at the same instant, a crowd of sailors with horror-stricken faces, scrambled up the hatchway and rushed to the stern to lower the boat. I sprang to my feet, and followed them instinctively ; but saw that the numbers were far too great for the frail vessel to which they were about to commit themselves ; and that to embark in it would only be to exchange one death for another—not so horrible, perhaps, but no less sure. The mounting flames were already rising from the hold, and a moment's delay might be fatal ; for the seas being infested with pirates, a large quantity of gunpowder was in the ship. There was a small boat floating, attached to the vessel by a rope ; but it was so small, that the crew thought it unworthy of consideration. I decided my part in a moment, leaped into the sea, gained the little boat, unloosed the cable, and abandoned myself alone to the wide ocean.

Awful now was the scene : the sun had gone down, and there being little or no twilight between the tropics, I was soon in darkness, save the glare from the burning vessel. I saw, by the red flaring light, many hanging on its sides ; these the melting pitch soon forced to quit their hold, and I saw them drop, one by one, into the ocean : I saw a multitude

* The journal of the *Sieur Godolph* will be frequently found at variance with our present knowledge of facts. Surat is not now of the importance it was then, the great trade of the west of Hindoostan having been transferred to Bombay.

fill the boat which I had abandoned—and I saw it instantly sink, with its living burthen, beneath the still waters. I heard at times, from the burning vessel, the wild cry and terror of despair, mingle with the crackling of the flames ; and I waited in silence for the explosion, which would leave me solitary, with night and the ocean round me. At last it came ; the burst of light, the deep heavy boom, that went like a swell along the water and the air ; the large masses of light, mingled with darker bodies, flinging themselves up into the heavens, and then falling into the sea with a hissing noise, and disappearing, until every spark was extinguished—until all was hushed beneath the great waters—and pitchy darkness, and the silence of the grave, sat upon the bosom of the hungry deep.

Here memory fails me : my desolate state was for a while forgotten in sleep. I recollect only that the high land, near to which the ship had anchored, and which, by the imperfect starlight of the southern hemisphere, I could just discern, gradually disappeared. I had no instrument wherewith to assist my course, and lying down in the bottom of the little boat, I commended myself to Him who had rescued me from an awful death, and who could yet preserve me ;—and sleep came upon me.

I was awakened by a sudden concussion—it was broad day : I raised myself up and looked around ; I was near the mouth of a river, and at but a short distance from shore. The rivers of Africa carry down much alluvial soil, forming sand banks on each side, and it was upon one of these that my little vessel had drifted by the tide. I thanked God for my deliverance ; and with little difficulty gained the shore. It was a sandy shelving coast, and the tide had nearly retired. I sat down at a little distance from the margin, upon a dry sandy hillock, and gazed around me. Before me was the swelling ocean, of the greenish hue, which it usually wears in those seasons, and glittering like a mirror ; and below the shelving bank, the little impotent waves were running races on the almost level sand ; but from these my eye was easily attracted by the beautiful and varied hues which sparkled upon the sand bank, beneath the almost perpendicular rays of a tropical sun. This appearance proceeded from innumerable marine productions, upon which the yet recent wave had left a polish ; and which, both in beauty and variety, exceeded all conceptions I had before formed of the wonders which are hidden in the ocean. From this instant the bent of my future life was determined—this instant coloured the fortunes of my future years. I had seen, when in Vienna, a collection of shells, and other marine productions, which was highly valued ; but here the labour of one year would eclipse it. Here Providence had cast my lot ; and here a new and seemingly untrodden field lay before me.* It is impossible that any state can be imagined

* It is probable that the *Sieur Godolph* was the first who became acquainted with the riches of the coast of Mozambique in the department of conchology. Since his days, however, it has been often explored by the conchologist, as well as by those who undertake to be his purveyors for the sake of gain.

more utterly desolate than mine at this moment was ; but in what I saw around me, I fancied I discovered the sources of future wealth,—and like the flowers that spring up in the regions of eternal snow, Hope, even in this moment, found entrance into my soul.

I write this account of my life for the information of my children and my grand children, that they may not be entirely unacquainted with him to whom they owe their fortunes ; and for their use, that they may learn, how far trust in Providence and perseverance in labour accomplish their reward. In what I have already written, I have recorded the most eventful epochs of my life,—in the years which follow, fortune was less capricious.

It would be little interesting, to detail the monotonous lapse of the years which I spent upon the shore. I could speak indeed of the native villages which lie along the coast, and of the simple inhabitants, who supplied me with the necessaries of life. I could tell of that new world, which nature unfolds in this tropical region ; or retrace the changes that time, as it wore away, wrought upon my feelings : but I refrain from all this.

There is no pursuit that will not, under certain circumstances, become a passion. To some it may seem unaccountable that days, months, nay years, should be spent in wandering,—a solitary along the sea coast, seeking for the productions which the waves had cast upon it ; but I say of a truth, that without any hope of reward beyond the indulgence of my passion, I could have spent my days contentedly, even happily, thus employed. I longed for day, that light might enable me to renew my pursuit ; I prolonged it, until the objects of my search were undistinguishable,—time, far from diminishing, served but to increase my ardour. I often would survey my accumulated treasures with delight, not less than that with which I now gaze upon the gold which they have purchased ; and, even after my labours had earned me independence, did I not, like another Sinbad, leave my domestic home, and become a wanderer again by the ocean tide, among the remotest islands that stud the deep ? But years have at last stolen upon me ; and domestic quiet, though it cannot wean me from my longings, reconciles me to that repose, which enfeebled nature demands. But even now, could vigour again reanimate for a season those limbs which have so often obeyed the impulses of my mind, I should again be Godolph, the Shell Gatherer. Often in my sleep does imagination recall former scenes, or create new images out of the past. Often do I sit upon the shelving rock, and watch the distant ocean swell approaching, or the little wave fretting beneath me ; often am I hurrying, at break of day, over the dry sand hillocks, to the sea beach—or spreading in some sea worn cavity, the fruit of my day's labour, as the unclouded sun dips into the distant waters. I have been a man of many climes : my race is nearly run.

(Signed) GODOLPH.

THE MIDNIGHT REVIEW.

THIS beautiful Poem was printed about six years ago in a small work called "Le Fils de l'Homme, ou Souvenirs de Vienne." It is highly romantic in its conception, and there is a terseness in the language and a facility in the versification very creditable to the author. We have read it over several times, and always with pleasure. We feel confident that our readers will be delighted with this morceau in the original: we place in juxta position a literal translation.

I.

A minuit, de sa tombe,
Le tambour se lève et sort,
Fait sa tournée et marche,
Battant la caisse bien fort.

II.

De ses bras decharnés
Remue conjointement
Les baguettes, bat la retraite,
Réveil et roulement.

III.

La caisse sonne étrange,
Fortement elle retentit ;
Dans leur fosse en ressuscitent
Les vieux soldats péris :

IV.

Et qui au fond du nord
Sous la glace enroïdie,
Et qui trop chaudement gissent
Sous la terre d'Italie :

V.

Et sous la bourbe du Nil,
Et le sable de l'Arable ;
Ils quittent leur sepulture,
Leurs armes ils ont saisi.

VI.

Et à minuit, de sa tombe
Le trompette se lève et sort ;
Monte à cheval et sonne
La trompe bruyant et fort.

VII.

Alors sur chevaux aériens
Arrivent les cavaliers,
Vieux escadrons célébrés,
Sanglans et balafrés.

VIII.

Sous le casque, leurs crânes blan-
châtres
Ricanent, et fièrement
Leurs mains osseuses soulèvent
Leurs glaives longs et tranchans.

I.

At midnight, from his grave,
The drummer woke and rose,
And beating loud the drum,
Forth on his rounds he goes.

II.

Stirred by his fleshless arms
The drumsticks patly fall ;
He beats the loud retreat,
Reveillé, and roll-call.

III.

So strangely rolls that drum,
So deep it echoes round—
Old soldiers in their graves
Start to life at the sound :

IV.

Both they in farthest north,
Stiff in the ice that lay,
And who too warm repose
Beneath Italian clay—

V.

Below the mud of Nile,
And 'neath Arabian sand,
Their burial place they quit,
And soon to arms they stand.

VI.

And at midnight from his grave
The trumpeter arose ;
And mounted on his horse,
A loud shrill blast he blows.

VII.

On airy coursers then
The cavalry are seen ;
Old squadrons erst renowned,
Gory and gashed, I ween.

VIII.

Beneath the casque their blanched
skulls
Smile grim, and proud their air :
As in their bony hands
Their long sharp swords they bear.

IX.

Et à minuit, de sa tombe
Le chef se lève et sort ;
A pas lents il s'avance,
Suivi de l'état major.

X.

Petit chapeau il porte,
Habit sans ornemens,
Petite épée pour arme
Au côté gauche lui pend.

XI.

La lune à pâle lueur
La vaste plaine éclaire ;
L'homme au petit chapeau
Des troupes revue va faire.

XII.

Les rangs présentent les armes,
Lors sur l'épaule les mettant,
Toute l'armée devant le chef
Défile, tambour battant.

XIII.

On voit former un cercle
Des capitaines et généraux,
Au plus voisin à l'oreille
Le chef souffle un mot.

XIV.

Ce mot va à la ronde,
Résonne le long de la Seine :
Le mot donné est—La France,
La parole—Sainte Helène.

XV.

C'est là la grande revue
Qu'aux Champs Elysées,
A l'heure de minuit
Tient César décédé.

IX.

And at midnight, from his tomb,
The chief awoke and rose ;
And followed by his staff,
With slow steps on he goes.

X.

A little hat he wears ;
A coat quite plain has he ;
A little sword for arms
At his left side hangs free.

XI.

O'er the vast plain the moon
A paly lustre threw ;
The man with the little hat
The troops goes to review.

XII.

The ranks presents their arms—
Deep roll the drums the while ;
Recovering then, the troops
Before the chief defile.

XIII.

Captains and generals round
In circle formed appear ;
The chief to the first a word
Then whispers in his ear.

XIV.

The word goes round the ranks—
Resounds along the Seine ;
The word they give is—France,
The answer—St. Helene.

XV.

'Tis there, at midnight hour
The grand review, they say,
Is by dead Cæsar held,
In the Champs Elysées.

ON THE FOOD AND NUTRIMENT OF PLANTS.

In an agricultural point of view it is highly important to determine what is the food of plants, as such knowledge may be applied to courses of cropping and composts of manure. To the botanist this question is also most interesting, whether he investigates the phenomena of the vegetable kingdom merely as an amateur, or pursues his delightful science as a professional study. Guernsey and Jersey are justly celebrated for their fruits and flowers, and in addressing this article more particularly to our horticultural and floricultural readers, we hope to do something towards explaining the *rationale* of gardening, as well as of farming.

Philosophers have widely differed on the subject of this inquiry. We incline to adopt the sentiments of Dr. Hunter, as expressed in the notes

he has appended to "Evelyn's Sylva, or Treatise on Forest Trees," and to which we beg to refer those who require more ample information than is condensed into these pages.

From a number of experiments accurately conducted, Dr. Hunter was led to believe that all vegetables, from the hyssop on the wall to the cedar of Lebanon, receive their principal nourishment from oily particles incorporated with water, by means of an alkaline salt or absorbent earth. Till oil is made miscible, it is unable to enter the radical vessels of vegetables; and, on that account, Providence has bountifully supplied all natural soils with chalky or other absorbent particles. We say *natural* soils, for those which have been assisted by art are full of materials for that purpose; such as lime, marl, soap ashes, and the volatile alkaline salt of putrid dunghills. It may be asked, whence do natural soils receive their oily particles? We answer, from the air. During the summer months, the atmosphere is full of putrid exhalations arising from the steam of dunghills, the perspiration of animals, and smoke. Every shower brings down these oleaginous particles for the nourishment of plants.

The ingenious Mr. Tull, and others, have contended for earth's being the food of plants. If so, all soils equally tilled would be equally prolific. The increased fertility of a well pulverised soil induced him to imagine that the plough could so minutely divide the particles of earth, as to fit them for entering into the roots of plants. An open soil, if not too light in its own nature, will always produce plentiful crops. It readily receives the air, rains and dews, into its bosom, and at the same time gives the roots of plants a free passage in quest of food. This is the true reason why land well tilled is so remarkably fruitful. Water is thought, by some, to be the food of vegetables, when in reality it is only the vehicle of nourishment. Water is an heterogeneous fluid, and is no where to be found pure. It always contains a solution of animal or vegetable substances. These constitute the nourishment of plants, and the element in which they are minutely suspended acts only as a vehicle, in guiding them through the fine vessels of the vegetable body. The hyacinth and other bulbous roots, are known to perfect their flowers in pure water. Hence superficial observers have drawn an argument in favour of water being the food of vegetables. But the truth is, the roots, stem, and flowers of such plants are nourished by the mucilaginous juices of the bulb, diluted by the surrounding water. This mucilage is just sufficient to perfect the flower, and no more. Such a bulb neither forms seeds nor sends forth offsets. At the end of the season it appears weak, shrivelled, and exhausted, and is rendered unfit to produce flowers the succeeding year. A root of the same kind, that has been fed by the oily and mucilaginous juices of the earth, essentially differs in every particular. It has a plump appearance, is full of mucilage, with offsets upon its sides. All rich soils, in a state of nature, contain oil; and in those lands which have

been under the plough for some years, it is found in proportion to the quantity of putrid dung that had been laid upon them, making an allowance for the crops they have sustained. To set this matter in a clear light, let us attend to the effects of manures of an oily nature, and we shall soon be satisfied that oil, however modified, is one of the chief things concerned in vegetation. Rape dust, when laid upon land, is a speedy and certain manure, though an expensive one, and will generally answer best on a lime-stone land, or where the soil has been moderately limed. This species of manure is much esteemed by the farmer. It contains the food of plants ready prepared ; but as it is not capable of loosening the soil by any fermentation, the lands upon which it is laid ought to be in excellent tilth. At present, that useful article of husbandry is much diminished in goodness, owing to the improved methods of extracting the oil from the rape. Heat and pressure are employed to a double degree more than formerly.

Farmers, who live in the neighbourhood of large towns, use abundance of soot. It is an oily manure, but different from the former, containing alkaline salt in its own nature, calculated as well for opening the soil as for rendering the oily parts miscible with water. It is observed that pigeon's dung is a rich and hasty manure. These animals feed chiefly upon grains and oily seeds ; it must, therefore, be expected that their dung should contain a large proportion of oil. The dung of stable-kept horses is also a strong manure, and should not be used until it has undergone the *putrid ferment*, in order to mix and assimilate its oily, watery, and saline parts. Beans, oats, and hay, contain much oil. The dung of horses, that are kept upon green herbage, is of a weaker kind, containing much less oil. Swine's dung is of a saponaceous and oily nature, and perhaps is the richest of the animal manures. When made into a compost, and applied with judgment, it is excellent for arable lands. The dung of ruminant animals, as cows and sheep, is preferable to that of horses at grass, owing to the quantity of animal juices mixed with their food in chewing. And here we beg leave to remark in general, that the fatter the animal, *cæteris paribus*, the richer the dung. Human ordure is full of oil and a volatile alkaline salt. By itself, it is too strong a manure for any land ; it should therefore be made into a compost before it is used. The dung of carnivorous animals is plentifully stored with oil. Animals that feed upon seeds and grains come next, and after them follow those which subsist upon grass only. To suit these different manures to their proper soils requires the greatest judgment of the farmer, as what may be proper for one soil may be detrimental to another.

In order to strengthen our argument in favour of oil being the principal food of plants, we observe that all vegetables, whose seeds are of an oily nature, are found to be remarkable impoverishers of the soil, as hemp, rape, and flax ; for which reason, the best manures for lands worn out by

these crops are such as have a good deal of oil in their composition ; but then they must be laid on with lime, chalk, marl, or soap ashes, so as to render the oily particles miscible with water. The book of nature may be displayed to show that oily particles constitute the nourishment of plants in their embryo state ; and, by a fair inference, we may suppose that something of the same nature is continued to them as they advance in growth. The oily seeds, as rape, hemp, line, and turnip, consist of two lobes, which, when spread upon the surface, form the seminal leaves. In them the whole oil of the seed is contained. The moisture of the atmosphere penetrates the cuticle of the leaves, and, mixing with the oil, constitutes an emulsion for the nourishment of the plant. The sweetness of this balmy fluid invites the fly, against which no sufficient remedy has, as yet, been discovered. The oleaginous liquor being consumed, the seminal leaves decay, having performed the office of a mother to a tender infant. To persons unacquainted with the analogy between plants and animals, this reflection will appear strange. Nothing, however, is more demonstrable. The leguminous and farinaceous plants keep their placenta, or seminal leaves, within the earth, in which situation they supply the tender germ with oily nutriment, until its roots are grown sufficiently strong to penetrate the soil.

It is usual to talk of the salts of the earth ; but chemistry has not been able to discover any salts in land which has not been manured, though oil may be readily obtained from every soil, the very sandy ones excepted. Marl, though a rich manure, has no salts. It is thought to contain a small portion of oleaginous matter, and an absorbent earth, of a nature similar to limestone, with a large quantity of clay intermixed. Lime mixed with clay comes nearest to the nature of marl of any factitious body that we know of, and may be used as such, where it can be had without much expense. By increasing the quantity of clay it will make an excellent compost for a light sandy soil ; but to make the ground fertile, woollen rags, rotten dung, or any oily manure, should be incorporated with it some time before it is laid on.

It is a received opinion that lime enriches the land it is laid upon, by means of supplying a salt fit for the nourishment of plants ; but by all the experiments that have been made upon lime, it is found to contain no kind of salt. Its operation, therefore, should be considered in a different light : by the fermentation that it induces, the earth is opened and divided, and, by its absorbent and alkaline quality, it unites the oily and watery parts of the soil. It also seems to have the property of collecting the acid of the air, which it readily forms into a neutral salt, of great use in vegetation. From viewing lime in this light, it is probable that it tends to rob the soil of its oily particles, and in time will render it barren, unless we take care to support it with rotten dung, or other manures of an oily nature. As light sandy soils contain but a small portion of oleaginous

particles, we should be extremely cautious not to overdo them with lime, unless we can at the same time assist them liberally with rotten dung, woollen rags, horn shavings, and other manures of an animal kind. Its great excellence, however, upon a sandy soil, is by mechanically binding the loose particles, and thereby preventing the liquid parts of the manure escaping out of the reach of the radical fibres of the plants. Upon clay the effect of lime is different; for, by means of the gentle fermentation that it produces, the unsubdued soil is opened and divided; the manures laid on readily come into contact with every part of it; and the fibres of the plants have full liberty to spread themselves. It is generally said that lime answers better upon sand than clay. This observation will undoubtedly hold good as long as the farmer continues to lime his clay lands in a scanty manner. Let him treble the quantity, and he will then be convinced that lime is better for clay than sand. It may be justly answered, that the profits will not admit of the expense. We agree. But then it must be understood that it is the application, and not the nature of the lime, that should be called in question. Clay, well limed, will fall in water and ferment with acids. Its very nature is changed. Under such agreeable circumstances, the air, rain and dews, are freely admitted, and the soil is enabled to retain the nourishment that each of them brings. In consequence of a fermentation raised in the soil, the fixed air is set at liberty, which, in a wonderful manner, promotes vegetation. It is the nature of lime to attract oils and dissolve vegetable matters. Upon these principles we may account for the wonderful effects of lime in the improvement of black moor land. Moor earth consists of dissolved, and half dissolved, vegetable substances. It is full of oil. Lime assimilates the one and dissolves the other. Such lands, not originally worth one shilling per acre, may be made, by paring, burning, and liming, to produce plentiful crops of turnips, which may be followed with oats, barley, or grass seeds, according to the inclination of the owner. These observations, however, are rather foreign to the present argument, to which we shall now return. To the universal principle, oil, we must add another of great efficacy, though very little understood: we mean the nitrous acid of the air. That the air does contain the rudiments of nitre, is demonstrable from the manner of making salt petre in the different parts of the world. The air contains no such salt as perfect nitre: it is a factitious salt, and is made by the nitrous acid falling upon a proper matrix. The makers of nitre form that matrix of the rubbish of old houses, fat earth, and any fixed alkaline salt. The universal acid, as it is called, is attracted by these materials, and forms true nitre, which is rendered pure by means of crystallization, and in that form it is brought to us. In very hot countries the natural earth forms a matrix for nitre, which makes the operation very short. It is observed, that nitre is most plentifully formed in winter, when the wind is northerly; hence we may

understand the true reason why farmers and nurserymen lay up their lands in high ridges during the winter months. The good effects of that operation are wholly attributed to the mechanical action of the frost upon the ground. Light soils, as well as the tough ones, may be exposed in high ridges, but with some limitation, in order to imitate the mud walls in Germany, which are found, by experience, to collect considerable quantities of nitre during the winter. After saying so much in praise of nitre, it will be expected that we should produce some proofs of its efficacy, when used as manure. We must confess that experiments do not give us any such proofs. Perhaps too large a quantity has been used ; or rather, it could not be restored to the earth with its particles, so minutely divided, as when it remained united with the soil, by means of the chemistry of nature. We shall, therefore, consider this nitrous acid, or as philosophers call it, the *acidum vagum*, in the light of a vivifying principle, with whose operation we are not fully acquainted.

A curious observer will remark, that there subsists a strong analogy between plants and animals. Oil and water seem to make up the nourishment of both. Earth enters very little into the composition of either. It is known that animals take in a great many earthy particles at the mouth, but they are soon discharged by urine or stool. Vegetables take in the smallest portion imaginable of earth, and the reason is, because they have no way to discharge it. It is highly probable that the radical fibres of plants take up their nourishment from the earth, in the same manner that the lacteal vessels absorb the nutriment from the intestines : and as the oily and watery parts of our food are perfectly united into a milky liquor, by means of the spittle, pancreatic juice, and bile, before they enter the lacteals, we have all the reason imaginable to keep up the analogy, and suppose that the oleaginous and watery parts of the soil are also incorporated, previously to their being taken up by the absorbing vessels of the plant. To form a perfect judgment of this, we must reflect that every soil, in a state of nature, has in itself a quantity of absorbent earth, sufficient to incorporate its inherent oil and water ; but when we load it with fat manures, it becomes essentially necessary to bestow upon it, at the same time, something to assimilate the parts. Lime, soap ashes, kelp, marl, and all the alkaline substances, perform that office. In order to render this operation visible to the senses, dissolve one drachm of Russia potash in four ounces of water ; then add one spoonful of oil. Shake the mixture, and it will instantly become an uniform mass of a whitish colour, adapted to all the purposes of vegetation. This easy and familiar experiment is a just representation of what happens after the operation of burn-baking, and consequently may be considered as a confirmation of the hypothesis advanced.

Let us attend to the process. The sward being reduced to ashes, a fixed alkaline salt is produced. The moisture of the atmosphere soon

reduces that salt into a fluid state, which, mixing with the soil, brings about an union of the oily and watery parts, in the manner demonstrated by the experiment. When the under stratum consists of a rich vegetable mould, the effects of burn-baking will be lasting. But when the soil happens to be thin and poor, the first crop frequently suffers before it arrives at maturity. The farmer, therefore, who is at the expense of paring and burning a thin soil, should bestow upon it a portion of rotten dung, or shambles manure, before the ashes are spread, in order to supply the deficiency of oily particles. In consequence of this prudent management the crop will be supported during its growth, and the land will be preserved in health and vigour.

Hitherto we have considered plants as nourished by their roots ; but they are also nourished by their leaves. An attention to this part of the vegetable system is essentially necessary. Vegetables, that have a succulent leaf, such as vetches, peas, beans, and buck wheat, draw a great part of their nourishment from the air, and on that account impoverish the soil less than wheat, oats, barley, or rye, the leaves of which are of a firmer texture. Rape and hemp are oil-bearing plants, and, consequently, impoverishers of the soil ; but the former less so than the latter, owing to the greater succulency of its leaf. The leaves of all kind of grain are succulent for the time, during which period the plants take little from the earth ; but as soon as the ear begins to be formed they lose their softness, and diminish in their attractive power. The radical fibres are then more vigorously employed in extracting the oily particles of the earth for the nourishment of the seed.

SPECIMENS OF THE VOCAL POETRY OF FRANCE.

THE song has always been popular among our lively neighbours. Tacitus says of the ancient Gauls : "*Cantilenis infortunia sua solantur*,"—they console themselves in misfortune by singing. Every one knows that the metrical romances of the Troubadours, called "*Les Fabliaux*," constituted the original poetry of France, nor has the polish of modern language rendered those old productions discordant to the ear of taste. Henry the Fourth was no mean composer, and sang the charms of the beautiful Gabrielle in verse worthy of her tenderness. The refinement of the court of Louis the Fourteenth carried this style of lyrical poetry to perfection. It degenerated under the regency, when the profligate Orleans outraged the modest decencies of life by the bacchanalian orgies of the Palais Royal, and his infamous minister, Cardinal Dubois, sanctioned impiety by his irreligious example. The characteristic of French songs is gallantry, though in our days Beranger has tuned his sweet and animating lyre to patriotism and liberty. His works are too familiar to require any

notice from us. We shall endeavour to cull a few of the neglected flowers from the garden of song, or, if not neglected, comparatively unknown.

We commence our selection from *La Fontaine*. He addressed the following to a young female relation, twelve years of age, who had sent him some juvenile verses.

I.

Paule, vous faites joliment
Lettres et chansonnettes ;
Quelques grains d'amour seulement,
Elles seraient parfaites.
Quand ses soins au cœur sont connus,
Une Muse sait plaire
Jeune Paule, trois ans de plus,
Font beaucoup à l'affaire.

II.

Vous parlez quelquefois d'amour
Paule, sans le connaître,
Mais j'espère vous voir un jour
Ce petit dieu pour maître.

Le doux langage des soupirs
Est pour vous lettre close ;
Paule, trois retours des zéphyr
Font beaucoup à la chose.

III.

Si cet enfant, dans vos chansons,
A des grâces naïves,
Que sera-ce quand ces leçons
Seront un peu plus vive !
Pour aider l'esprit en ses vers
Le cœur est nécessaire,
Trois printemps sur autant d'hivers
Font beaucoup à l'affaire.

We select another beautiful sample from the lyrical ballads of *La Fontaine*, which forms part of the romance of *Psyché*, and which the French critics consider a *chef d'œuvre*.

I.

Tout l'univers obéit à l'amour :
Jeunes beautés, soumettez lui votre âme ;
Les autres dieux à ce dieu font la cour,
Et leur pouvoir est moins doux que sa
flamme.
Des jeunes cœurs c'est le suprême bien :
Aimez, aimez, tout le reste n'est rien.

II.

Sans cet amour tant d'objets ravissants
Labyrinthes dorés, bois, jardins, et fontaines,
N'ont pas d'appas qui ne soient lan-
guissans,
Et leurs plaisirs sont moins doux que ses
peines.
Des jeunes cœurs c'est le suprême bien,
Aimez, aimez, tout le reste n'est rien.

La Fontaine places these stanzas in the mouth of love. Whichever of the two composed them, whether Cupid himself or *La Fontaine*, they are worthy of their author.

The following couplet, which is anonymous, is an imitation of the beautiful lines of the Pastor Fido, so often quoted and so often translated. We insert the original with the French imitation.

Se'l peccar e sì dolce
E'l non peccar sì necessario o troppo
Imperfetta natura
Che repugni alla legge !
O troppo dura legge
Che la natura offendi !

De la nature un doux penchant
Nous porte à la tendresse ;
Et l'on dit que la loi défend
D'avoir une maîtresse.
Mais la nature est faible en soi,
Ou bien la loi trop dure :
Grands Dieu ! réformez votre loi ;
Ou changez la nature.

We annex another translation of the same verses of Guarini, much more literal and faithful, but by no means so pleasing to our minds.

Sans doute, ou la nature est imparfaite en soi,
Qui nous donne un penchant que condamne la loi,
Ou la loi doit sembler trop dure,
Qui condamne un penchant que donne la nature.

The Abbé Pellegrin condensed the idea of Guarini into one line, and the preceding couplet may be considered as a paraphrase or amplification of this single verse.

Dieux ! changez la nature, ou revoquez la loi.

The following bacchanalian claims M. Malezieux for its author. He was the captain Morris of the age of Louis the Sixteenth. We have often heard it sung and admired in the salons of Paris, but the only merit we ever saw in it makes its appearance in the concluding lines of the second stanza. We leave our readers to judge.

I.
Trêve aux chansons, ne vous déplaie ;
Je ne saurais boire à mon aise
Quand il faut arranger des mots.
Gardons, suivant l'antique usage,
Parmi les verres et les pots
La liberté jusqu'au langage.

II.
Evitons toute servitude,
Et fuyons la pénible étude,
De rimailleur hors de saison.
C'est une plaisante maxime,
Quand il faut perdre la raison,
De vouloir conserver la rime.

We are pleased with the wit and philosophy of the following, by M. De Coulanges, on the origin of nobility.

D'Adam nous sommes tous enfants,
La preuve en est connue,
Et que tous nos premiers parents
Ont mené la charrue.
Mais, las de cultiver enfin
La terre labourée,
L'un a dételé le matin,
L'autre l'après dinée.

Jean Baptiste Rousseau, usually called the poet Rousseau, to distinguish him from his philosophic namesake, is the author of the following, copied from La Fontaine's fable of Tircis and Amarante.

I.
Arrêtez, jeune bergère,
Je suis un amant sincère :
Un amant vous fait-il peur ?
Je n'ai qu'un mot à vous dire :
Et tout ce que je désire,
C'est de vous tirer d'erreur.

II.
Le temps vous poursuit sans cesse :
L'éclat de votre jeunesse
Sera bientôt effacé.
Le temps détruit toutes choses,
Et l'on ne voit plus de roses
Quand le printemps est passé.

III.
Un peu de tendre folie
Fait d'une jolie fille
Le plaisir et le bonheur ;
Et dans le déclin de l'âge
Un dehors fier et sauvage
Lui rend la gloire et l'honneur.

IV.
Par cette leçon fidèle
Tircis pressait une belle
D'avoir pitié de son mal.
Son discours la rendit sage ;
Mais elle n'en fit usage
Qu'au profit de son rival.

The following is by the Abbé de Lattaignant, who, during thirty years enjoyed a much higher reputation as a "chansonnier" than as a "prédicateur." He has left to posterity four volumes of songs of very indifferent merit. We select a somewhat curious one, the idea being purely financial, and it is a rarity to find the lyric muse in the company of Cocker.

I.

Vous me devez depuis deux ans
 Trente baisers des plus charmants :
 Je vous les ai gagnés à l'ombre.
 J'en veux calculer l'intérêt :
 Vous en augmenterez le nombre
 Quand vous me paierez, s'il vous plaît.

II.

Trente baisers, charmante Iris,
 N'étant payés qu'au denier six,
 Valent bien cinq baisers de rente
 Trente baisers de capital,
 Dix d'intérêt joints à ces trente
 Font quarante pour le total.

III.

Acquittez-vous, car il est temps ;
 Payez-moi mes baisers comptant,
 Et le principal, et la rente ;
 Car sans huissiers ni sans recors
 Si vous en êtes refusante,
 Je vous y contraindrai par corps.

Our next specimen is a matrimonial lamentation, and the sentiments expressed lead us to conclude that it proceeds from a female pen. We are satisfied that there is much truth in it, and that husbands in general deserve the censure of the poetess. We claim, however, exemption for ourselves, and as we propose shortly to explain our opinions on marriage, on the proper education of women, and on the undue and illiberal assumption of the male sex, we shall then prove that we have a right to this exception.

I.

Un amant léger, frivole,
 D'une jeune enfant raffole.
 Doux regard, belle parole,
 Le font choisir pour époux.
 Soumis quand l'hymen s'apprête,
 Tendre le jour de la fête,
 Le lendemain il tient tête . . .
 Il faut déjà filer doux.

II.

Sitôt que du mariage
 Le lien sacré l'engage,
 Plus de vœux, pas un hommage,
 Plaisirs, talens, tout s'enfuit.
 En vertu de l'hyménée,
 Il vous gronde à la journée ;
 Bâille toute la soirée,
 Et Dieu sait s'il dort la nuit.

III.

Sa contenance engourdie,
 Quelque grave fantaisie,
 Son humeur, sa jalousie,
 Oui, c'est là tout votre bien.
 Et pour avoir l'avantage
 De rester dans l'esclavage,
 Il faut garder au volage
 Un cœur dont il ne fait rien.

The following exquisite ballad we found in an old collection of songs, and it certainly belongs to the seventeenth century, although faultless in style and equal to any lyrical effusion of Beranger. It contains a scene, a dialogue, and a picture; and though all is precise and neat in thought and in expression, it is wholly free from stiffness or common place. We account it a literary gem of the purest water. We recommend some of our professional composers to adapt it to music, and if they succeed in producing an air in the slightest degree proportioned to the harmony of the poem, they may be assured of reaping a rich reward from their labours.

I.

De mon berger volage
J'entends le flageolet ;
De ce nouvel hommage
Je ne suis plus l'objet :
Je l'entends qui frédonne
Pour une autre que moi.
Hélas ! que j'étais bonne
De lui donner ma foi !

II.

Autrefois l'infidèle
Faisait dire à l'écho
Que j'étais la plus belle
Des filles du hameau ;
Que j'étais sa bergère,
Qu'il était mon berger ;
Que je serais légère
Sans qu'il devînt léger.

III.

Un jour (c'était ma fête)
Il vint de grand matin.
De fleurs ornant ma tête,
Il plaignait son destin.
Il dit : Veux-tu, cruelle,
Jouer de mes tourmens ?
Je dis : Sois-moi fidèle,
Et laisse faire au temps.

IV.

Le printemps qui vit naître
Ses volages ardeurs,
Les a vu disparaître
Aussitôt que les fleurs.
Mais s'il ramène à Flore
Les inconstants zéphyrs,
Ne pourrait-il encore
Ramener ses désirs.

The following couplet, though short, is beautiful, and little known. It is by Madame de Murat.

Faut-il être tant volage ?
Ai-je dit au doux plaisir.
Tu nous fuis, las ! quelle dommage
Dès qu'on a cru te saisir.
Ce plaisir tant regrettable
Me répond : Rends grâce aux dieux :
S'ils m'avaient fait plus durable,
Ils m'auraient gardé pour eux.

The French theatre is rich in pastoral opera, and Favart unquestionably stands at the head of this department of literature. No author ever depicted the loves of the village with such fidelity and spirit. La Chercheuse d'esprit, Jeannot and Jeannette, Bastien et Bastienne, Ninette à la cour, and Annette et Lubin, are models of perfection in this style of writing. We shall endeavour to justify this praise by contrasting Favart with Rousseau, and for that purpose we select the opera of Bastien et Bastienne, which is a quasi parody on the Devin du Village. The scenes of the former are chalked on those of the latter, not in the spirit of hostile criticism, but as a confessed imitation, Favart having resolved, in generous emulation, to try his powers against Rousseau. Both these operas are in sentiment an expansion of the *Donec gratus eram* of Horace: both are excellent, but we must give the palm of superiority to Favart over

Jean Jacques. Rousseau certainly displays more theatrical invention, but the poetry of Favart is truly "simplex munditiis," ingenuous, natural, easy, and inartificial. The characters of both are villagers, but those of Rousseau speak the more polite language of the town, while the rustics of Favart converse in the dialect of the country. The following is the address of Colin to his absent mistress from the *Devin du Village*.

I.
 Dans ma cabane obscure,
 Toujours soucis nouveaux :
 Vent, soleil ou froidure,
 Toujours peine et travaux.
 Colette, ma bergère,
 Si tu viens l'habiter,
 Colin dans sa chaumière
 N'a rien à regretter.

II.
 Des champs, de la prairie,
 Retournant chaque soir,
 Chaque soir plus chérie,
 Je viendrai te revoir.
 Du soleil, dans nos plaines,
 Devançant le retour,
 Je charmerai mes peines
 En chantant notre amour.

In these lines we recognise the hand of a master in the art of composition, but we think more of Rousseau than of Colin. The verses are beautiful, but they are out of keeping with the character of a rustic, and thus the scenic illusion is lost. For instance, the following expressions, "Devancer le retour du soleil, and, charmer mes peines," are too elegant for a ploughman, and they thus violate that rule of the drama which insists on identifying the speaker with his speech. Let us now listen to Bastienne speaking of her lover.

I.
 Plus matin que l'aurore
 Dans nos vallons j'étais,
 Bien après l' soir encore
 Dans nos vallons j' restais.
 Le travail et la peine,
 Tout ça n' me coutait rien.
 Hélas ! c'est que Bastienne
 Etais avec Bastien.

II.
 Drès que le jour se lève,
 Je voudrais qu'il fût soir,
 Et drès que l' jour s'achève,
 Au matin j' voudrais m' voir.

D'où vient q' tout me chagrine ;
 Et que j' nons de cœur à rien ?
 Hélas ! c'est que Bastienne
 N' voit plus son cher Bastien.

III.
 Le chang'ment de c' volage
 Devrait bien m' dégager :
 Mais je n'en ons pas l' courage,
 Et je n' fais q' m'affliger.
 D'un ingrat quand on s'venge,
 C'est se dédommager.
 Mais, hélas ! Bastien change,
 Et je n' saurais changer.

These verses breathe an air of rusticity. It is the village girl who speaks. We think only of Bastienne and forget Favart. To produce this effect is the triumph of the dramatic art. The two last lines of the third stanza are peculiarly beautiful, and proclaim the sincerity of deep-seated affection. We shall place in contrast Colette and Bastienne, both complaining of the caprice of their lovers ; both alluding to the more tempting offers they had received ; and both innocently praising their own fidelity. This first song is from the *Devin du Village*, by Colette.

Si des galants de la ville
 J'eusse écouté les discours,
 Ah ! qu'il m'eût été facile
 De former d'autres amours.

Mise en riche demoiselle,
 Je brillerais tous les jours ;
 De rubans et de dentelle
 Je chargerais mes atours.
 Pour l'amour de l'infidèle,
 J'ai refusé mon bonheur ;
 J'aimais mieux être moins belle,
 Et lui conserver mon cœur.

This is a delightful and harmonious piece of versification, but surely it is not the natural language of a rustic maiden. "Charger ses atours de rubans et de dentelle" would better suit the lips of a fine lady of fashion. "J'ai refusé mon bonheur" contradicts the next two lines, and inconsistency is an unpardonable error in such a writer as Rousseau. From him criticism has a right to expect perfection. Favart has imitated this song of Collette, and his copy breathes the pure air of the village. Bastienne sings :

I.
 Si j'voulions être un tantet coquette,
 Et prêter l'oreille aux favoris,
 Que je fêrions aisément emplette
 Des plus galants monsieur de Paris !
 Mais Bastien est le seul qui peut nous
 Et j' n'ons sans mystère [plaire,
 Toujours répondu :
 Laissez-nous, messieurs, je somm' trop
 Sachez qu'au village [sage :
 J'ons de la vertu.

II.
 Au déclin du jour, près d'un bocage,
 Un jeune monsieur des plus gentis,
 Voulait dans un brillant équipage
 Nous mener, c' dit-il, jusqu'à Paris.
 Il voulait m' donner rubans, dentelle :
 Mais toujours fidèle,
 J'y ons répondu !
 Laissez-nous, messieurs, je somm' trop
 Sachez qu'au village [sage :
 J'ons de la vertu.

III.
 " En honneur, je vous trouve charmante,
 " Me dit un jour un petit collet :
 " Venez, vous serez ma gouvernante,
 " Chez moi vous vous plairez tout à fait."
 Tout ces biaux discours n'étaient que finesse,
 J'ons connu l'adresse,
 Et j'ons répondu :
 Laissez-nous, messieurs, je somm' trop sage :
 Sachez qu'au village
 J'ons de la vertu.

We consider this song a triumph of genius. We hear the voice of a rural beauty who has been frequently exposed to the snares of the seducer. Her song is at once lively and true, and contains an indirect criticism on morals. Favart evidently intended it as a trial of skill against his talented competitor, and most assuredly he gained the prize. How felicitously has he seized the dialect of the village and preserved the idiomatic expressions of rural life ? How harmonious is the cadence, how chaste the sentiment, how natural the reflections, how pure and sincere the devoted attachment of Bastienne ? The following is, however, if possible, even superior, and it is not copied from any model in the *Devin du Village*. Bastienne sings :

I.

Autrefois à sa maîtresse
 Quand il volait une fleur,
 Il marquait tant d'allégresse,
 Qu'elle passait dans mon cœur.
 Pourquoi reçoit-il ce gage
 D'une autre amante aujourd'hui ?
 Avions-je dans le village
 Queuq' chos' que n' fut pas à lui ?
 Mes troupiaux et mon laitage,
 A mon Bastien tout était,
 Faut-il qu'une autre l'engage
 Après tout ce que j'ai fait ?

II.

Pour qu'il eut tout l'avantage
 A la fête du hamiau,
 De rubans à tout étage,
 J'ons embelli son chapiau
 D'une gentille rosette,
 J'ons orné son flageolet.
 C' n'est pas que je la regrette
 Malgré moi l'ingrat me plait ;
 Mais, pour parer ce volage
 J'ons défait mon biau corset.
 Faut-il qu'une autre l'engage
 Après tout ce que j'ai fait.

Here is another gem of poesy. Never did nature, in the artless and unsophisticated simplicity of rural life, pour forth strains more true, more tender, or more graceful. How delicate and ingenuous are the feelings of Bastienne ! "J'ons défait mon biau corset" is above all praise : what could a village girl do more to prove her sincerity ? "C' n'est pas que je la regrette" flows from the heart. She seems desirous to convince herself that no bitter querulousness is mingled with her reproaches. How exquisite is the soft confession contained in "Malgré moi l'ingrat me plait." Who would not throw himself at the feet of this enchanting shepherdess ? The chorus is full of similar interest : yes, Bastienne, your lover would have been a villain had he deserted you.

Let us once more place Rousseau and Favart in contrast. Colin and Bastien are both confident of the fidelity of their mistresses, despite some little misgivings. Let us first hear Rousseau.

Non, non, Colette n'est pas trompeuse,
 Elle m'a promis sa foi :
 Peut-elle être amoureuse
 D'un autre berger que moi ?
 Non, non, etc.

We have no fault to find with this couplet, as far as it goes ; but it is meagre and insufficient. How much richer is the imagination of Favart, when he makes Bastien speak of his sweetheart. He absolutely pleads his case, and argues as for a verdict. He constitutes himself judge, jury, and advocate, and exults in the certainty of a favourable decision. Favart has, in this song, amplified the "Malo me Galatea petit" of Virgil, and most beautifully has he improved on the original.

I.

Bon, bon, vous m' contez eun' fable
 Si Bastienne aime, s'est moi.
 Pour me faire un tour semblable,
 Elle est de trop bonne foi.
 Quand je la trouvons gentille,
 All' m' trouve aussi biau garçon,
 Et Bastienne n'est pas fille
 A m' dire un oui pour un non.

II.

Si j'allons dans la prairie,
 All' me guett' venir de loin.
 Pour m' faire queuq' tricherie,
 All' se gliss' derrière el foin.

All' me jette de la tarre,
 Et queuquefois aussi, dà
 All me pousse dans la mare :
 Ce sont des preuves que ça.

III.

Et pis, c' jour qu' à la main chaude
 On jouait sur le gazon,
 Moi, qui ne suis pas un glaude,
 Je m'y boutis sans façon.
 All' toujours folle et maleigne,
 Pour se divertir un brin,
 Courut tôt prendre une épine,
 Et m'en tapit dans la main.

How superior is Bastien to Colin. Clown though he be, he understands the rationale of love. "Ce sont des preuves que ça" bespeaks a knowledge of human nature which would not discredit a philosopher. Fontenelle has seized the same thought in one of his eclogues. Iris is conversing with her swain, and expresses her doubts of the sincerity of two lovers.

Croyez-vous que, pour être et fidèle et sincère,
On en trouve toujours *autant* dans sa bergère ?
Damon y gagnerait : nous sommes tous témoins,
Combien à Timarette il a rendu de soins.
L'autre jour cependant elle vint *par derrière*
Au fier et beau Thamire ôter sa panetière,
Damon était présent ; elle ne lui dit rien
Pour moi, de leurs amours je n'augurai pas bien.
Ces tours-là ne se font qu'au berger que l'on aime :
Vous vous plaindriez bien si j'en usais de même.

Virgil, Fontenelle, and Favart, have all expressed the feeling of true love, ever accompanied by delicacy. Love is intense and expanded esteem, and it is exclusive. It repudiates all plurality, and is ever based on unity. A woman who yields her little favours and attentions to more than one man is accounted a coquette, and true love never nestles itself in a fickle bosom. Bastien knew that he was the favoured swain from the innocent and playful familiarity of his mistress. He says in the first verse that she is "de bonne foi," and that she was incapable of uttering a "oui" for a "non." He knew that she was not a flirt or a coquette. He gave her credit for delicacy of mind, and therefore was certain that she would not have taken any liberty with him, unless he possessed her affections. Bastien was in fact a philosopher, without knowing it, and understood the principles of human action without ever having studied them. In the village as well as in the metropolis the approving smile of beauty is easily penetrated, and Bastien took the hint as it was intended ; hence the *multum in parvo* contained in the line : "Ce sont des preuves que ça."

ON THE CAUSES OF THE REVOLUTION IN SOUTH AMERICA.

DURING three centuries the court of Madrid exercised undisputed sovereignty over her possessions in the New World. Her reign had been exclusive, partial, and unjust, sacrificing all the rights of the Creoles to the avarice of the Spaniards. The natives were treated as the absolute property of the mother country, and deprived of almost every privilege which appertains to humanity. This continued system of misrule had kindled the materials of revolution, and a favourable opportunity only was wanted to rouse the inhabitants of Spanish America into open revolt. The insurrection of Aranjuez in Old Spain, 1808, which led to the dismissal of Godoy, the prince of peace, and to the abdication of Charles

the Fourth, gave the first shock to the royal authority. The subsequent invasion of the Peninsula by Napoleon, the captivity of the Spanish monarch, and the deposition of the old dynasty by the memorable decrees at Bayonne, effectually destroyed that illusive charm of omnipotence which the colonists had imagined to surround and consecrate the sceptre of their ancient kings. The spell was now broken by the victorious legions of France, and the sword of Buonaparte cut asunder that moral force which had hitherto secured to the court of Madrid the obedience of seventeen millions of transatlantic subjects.

Our readers are aware that after the occurrence of these events the government of Old Spain was vested in local juntas, which started up in every province and city. The juntas of Asturias and Seville, the two first established in the mother country, despatched commissioners to America, clothed with powers equivalent to the royal prerogative. Now, it is highly important to observe, that it was a fundamental principle of Spanish jurisprudence, with regard to her colonial possessions, to consider them as vested in the *crown*, and not in the *state*. When the commissioners presented themselves, and displayed their credentials, that established and universally recognised principle was instantly brought forward against their pretensions, the natives being resolutely determined not to admit the validity of any written instrument which did not bear the king's seal and signature. The Creoles further contended that these commissioners were merely provincial delegates from two districts, which, of themselves, composed only a fraction of the mother country, an additional argument, strong and just, against their interference. Thus the first brick was taken out of the old building, an ominous presage of its entire and speedy demolition.

The principle of non-intervention being thus insisted on, the native leaders deduced from it the following conclusions: "The king being in captivity, the allegiance of his subjects is suspended, and therefore, during the term of his imprisonment, the people have a right to frame some system of temporary government to prevent the horrors of anarchy. Let then the inhabitants of Old Spain establish local juntas, or a central junta, for the maintenance of order in the mother country, as they may deem most politic. With such internal arrangements the Creoles have no concern, but they protest against any extension of that assumed power to the colonies, for Spanish America never belonged to the *state*, but to the *crown*. The Creoles will adopt the same measures as the Spaniards, and establish juntas composed of natives, and rule their own country, as they think fit, until the restoration of the king to his throne, for to the king alone their allegiance is due." The commissioners refused to listen to these arguments, and both parties resolved to appeal to arms.

Such, in few words, was the proximate cause of the out-breaking of the revolution; but the remote cause must be sought for in three centuries

of oppression. The materials of combustion were all collected; it required but a spark to kindle them into flames. It is the object of this article to give an outline of the colonial policy which Spain adopted towards America during the long period of her unresisted domination, and our readers will then judge for themselves whether the facts and statements adduced afford both an apology and a justification for the protracted and sanguinary war of independence.

With the exception of Brazil, Dutch and French Guiana, and the present British Colonies of Demerara and Essequibo, the Spanish possessions included the whole of South America, the Isthmus of Panama, and a portion of the Northern Continent, which extended to the confines of the United States. This vast territory was divided into four viceroyalties and five captain generalships. The former comprised Mexico, Peru, Rio de la Plata, otherwise designated Buenos Ayres, and New Grenada; the latter, the Peninsula of Yucatan, Guatemala, Chile, Venezuela, and the Island of Cuba. The captains general, although holding situations of minor importance, were independent of the viceroys, as were the viceroys of each other. Indeed, in most cases, natural barriers precluded the possibility of interference.

These great officers of state were invested with almost kingly power, though there were three limitations to their authority, which, however, were rather nominal than real. The first of these checks on their complete irresponsibility was the council of the Indies, which was held at Madrid. This board was created in 1511, by Ferdinand the Second, and remodelled by Charles the Fifth, in 1524, for the exclusive superintendence of the affairs of the colonies. Over this supreme tribunal the king was supposed to preside in person. The second rein on the viceroys and captains general was expressed by the curious phrase "residencia." It involved accountability, the governors being subject, on their return home, to have their conduct legally investigated, during their residence abroad, at the sole will and pleasure of the king, but this appears to have been very seldom, if ever, enforced. The third restraint to which they were subjected, was the authority of the "audiencia," a local board composed entirely of Europeans, and of which the viceroy was honorary president. This court had controul over all the colonial tribunals, ecclesiastical as well as civil, where the value of the object in litigation was under ten thousand dollars; but if it exceeded that sum, an appeal lay to the council of the Indies. The viceroy and the members of the audiencia always understood each other, and their interests rarely came into collision. The local laws enacted by this tribunal, the precedents of cases they had decided, and the decrees transmitted from Madrid for enrolment, formed that system of jurisprudence called "*Recopilacion de las Leyes de las Indias*," or, General Collection of the Laws of the Indies. They were printed and bound together in four folio volumes, but the work was

so full of contradictions that the ablest lawyers were uncertain what laws were in force and what in disuse, what had been wholly repealed and what had been modified, what had a general, and what a local, application. This constituted one of the chief grievances of the Creoles, for the judges were always Spaniards, and strained every point against the natives in favour of their own countrymen.

The system of exclusiveness was carried out to the most pernicious extreme by the establishment of *fueros*, which were special privileges granted to corporate bodies and different professions. The *fueros* of the clergy embraced all dignitaries of the church, canons, inquisitors, monks, members of the sacerdotal colleges, and even their dependents. Persons employed in public affairs, merchants, the militia, the navy, the engineers, the artillery corps, and the army in general, all had their respective *fueros*. These *fueros* exempted the holders from being tried by the regular judicial authorities, and gave them the right, in all civil and criminal cases, of selecting for their judges the members of the special tribunal attached to their own profession or corporation. Thus, in all matters of law, an *imperium in imperio* existed, and as these *fueros* were rarely granted to any but Europeans, the natives had scarcely a chance of obtaining justice, and in no instance without encountering delay, vexation, and expense, for a Spaniard might hold a triple *fuego*, as a merchant, a militiaman, and a government civil officer, in which cases it was almost impossible for a Creole to bring his European opponent into court.

The local government of the interior districts, *provincias internas*, was entrusted to functionaries called "*alcaldes*," and "*regidores*," and they composed the *ayuntamientos* or municipalities. Originally these officers were elected by the respectable inhabitants, but as corruption increased, their situations were put up to auction, and disposed of to the best bidder. But the most extraordinary and iniquitous organization of these bodies was effected in 1794, by brigadier Calleja, afterwards Conde de Calderon. He decreed that, in every town and village, the captain of the militia should be perpetual *alcalde*; the first and second lieutenants, *regidores*; and the first sergeant, *procurador*, or legal adviser to the corporation. By this absurd system, in the distant provinces, where the municipalities were the only tribunals for the decision of all petty disputes, a corporal, or even a private, in the absence of his superiors, was entrusted with the administration of justice. The sentence pronounced by these incompetent functionaries could only be reversed by an appeal to the governor of the province, or to the provincial *audiencia*, thus exposing the suitors to vexation and expense.

We have already remarked that, according to Spanish jurisprudence, the colonies were vested in the crown, not in the state. This principle was rigidly applied to the ecclesiastical establishments, nor did the court of Madrid ever allow the direct interference of the Roman pontiff in its

transatlantic possessions. Papal bulls could only be introduced into America through the permission of the council of the Indies, and this privilege was never conceded without a bargain being struck between the king and the pope. Indulgences and dispensations were purchased at Rome on account of the Spanish monarch, and these he sold to his American subjects at an enormous profit. The keenest vigilance was employed in the regulation of this discreditable traffic, and a native, convicted of smuggling any of these religious documents into the country, was deemed guilty of a crime, even more flagitious than treason.

The collection of the customs and the revenue generally employed a vast number of officers, called "intendentes," each of whom presided over a district. Their power was considerable, and as they held their situations directly from the council of the Indies, they were almost independent of the viceroys. But though the viceroy was not supreme in the fiscal department he had many opportunities, by holding out bribes, of influencing the officers of the revenue, and thus doing indirectly what he could not do directly. As he was absolute master of the army, and filled up all vacancies by granting new commissions to whomsoever he pleased, that patronage alone secured to him the most ready and obsequious submission.

Such is an outline of the political system adopted by Spain towards America, and if we fairly consider the spirit of the age in which it was framed, we must allow that in theory it was far from defective. By the old laws the natives were eligible to every office, even to the viceroyalty, but they were practically excluded from any participation in public authority. Every situation in the gift of the crown, down to the lowest custom-house officer, was conferred on an European. It was the favourite policy of the court of Madrid to prevent the slightest identity of interests between the Spaniards and the Creoles, and, among other antisocial regulations, no member either of the central audiencia, or even of the provincial ones, was permitted to marry a native. The Spaniards assumed the exclusive airs of a privileged *caste*, and their habits, feelings, and sentiments, were all enlisted against the local interests of the colonists. Indeed it was a maxim with them, "that while a Manchego mule, or a Castilian cobbler remained in the Peninsula, either the beast or the man had a right to govern America."

The public functionaries merely consulted their own private emolument, and regarded the natives simply as instruments by which they could accumulate wealth. The salary of the viceroys was fixed at sixty thousand dollars, and yet, living in a style of almost regal splendour, they usually returned to the mother country with fortunes exceeding a million of dollars. This plunder was realized by granting mercantile licenses to the great commercial houses of Vera Cruz and Mexico, for which enormous sums were paid; and as the merchants always derived immense

profits from these illegal monopolies, the real tax was ultimately levied upon the native consumers. Such was the avidity with which the people of the Peninsula sought after colonial appointments, that, under the administration of the prince of peace, they were readily accepted, *even without a salary*, as a sure road to affluence. Nor was the system of extortion confined to the acts of individuals, for the principle itself was sanctioned by the fiscal laws of the government. The court of Madrid reserved to itself the right of supplying all the demands of the colonists. The cultivation of the vine and the olive, to which the climate of America is admirably suited, was absolutely prohibited, and the growth of what is called colonial produce (as cocoa, coffee, and indigo,) was only allowed to the extent that the mother country itself might require. No foreigner was permitted to trade with the natives, and no foreign vessel was permitted to enter their ports; nay more; no American could be a ship-owner. In Spain itself the trade was confined, for upwards of a century, to the single port of Seville, from which every vessel chartered for America was bound to sail, and to which it was compelled to return. The violation of this law was punishable with death.

Until the year 1700 the whole of the supplies destined for America were introduced through the ports of Porto Bello and Vera Cruz, from the first of which remittances were made through Panama, (on the opposite side of the Isthmus,) to the whole line of coast on the Pacific, comprising Guyaquil, Quito, Chile, and Peru. During the war of Succession, the trade with Peru was opened to the French; and many Americans are of opinion, that to this temporary enjoyment of the sweets of foreign intercourse the late revolution may be traced. At the peace of Utrecht, 1713, Great Britain, with the *Asiento*, (or contract for the supply of slaves), obtained a direct participation in the American trade, by virtue of the permission which was granted to her, to send a vessel of five hundred tons annually to the fair of Porto Bello. This privilege ceased with the partial hostilities of 1737, but Spain found herself compelled, on the restoration of peace, in 1739, to make some provision for meeting that additional demand which this comparatively free communication with Europe had created. Licenses were granted with this view to vessels, which were called register ships, and which were chartered during the intervals between the usual periods for the departure of the galleons. In 1764 a further improvement was made, by the establishment of monthly packets to the Havanna, Porto Rico, and Buenos Ayres, which were allowed to carry out half a cargo of goods. This was followed, in 1774, by the removal of the interdict upon the intercourse of the colonies with each other; and this again, in 1778, by what is termed the *decree of free trade*, by which seven of the principal ports of the Peninsula were allowed to carry on a direct intercourse with Buenos Ayres and the South Sea.

That these were ameliorations of the old system must be admitted.

But the measure of reform was partial and inadequate. Commerce still continued fettered by unjust restrictions, and the freedom of trade was cramped by monopoly. In the mining districts quicksilver and gunpowder were indispensable. These articles were supplied from the mother country, and always in quantities incommensurate with the demand, and this deficiency enabled the government employes to excite an injurious competition among the purchasers, and thus raise the price of these commodities. The natives were in fact compelled to receive just such supplies as the mother country chose to remit, and pay whatever sums she chose to demand.

The education of the Americans was contracted within the narrowest limits, for the court of Madrid, being aware that knowledge was power, used every effort to retain the Creoles in ignorance. Nothing can illustrate this policy more strongly than a royal decree, of 1785, addressed to the viceroy of Peru by Galvez, who was at that time president of the council of the Indies. This decree states, that in consequence of the many representations made to the king, respecting the bad effects produced by the college for the education of noble Indians at Lima, the subject had been taken into serious consideration, and that his majesty "convinced that, since the conquest, no revolution had been attempted among the Peruvians which had not originated with some one better informed than the rest," had determined that the question should be referred to the viceroy, with orders to give an opinion, as soon as possible, respecting the propriety of reforming, new modelling, or entirely suppressing the said college.

Upon the same principle, liberty to found a school of any kind was (literally) almost invariably refused. The municipality of Buenos Ayres was told, in answer to a petition in favour of an educational establishment, in which nothing but mathematics was to be taught, that learning did not become colonies. The Padre Mier, (author of a very curious work on the Mexican revolution,) enumerates various instances of a similar kind. In Bogota the study of chemistry was prohibited, though permitted in Mexico; and in New Grenada, the works of the celebrated Mutis, though purely botanical, were not allowed to be published. Permission to visit foreign countries, or even the Peninsula, was very rarely granted, and then only for a limited time. A printing press was conceded, as a special privilege, by the council of the Indies, but only to the vicerealties, Mexico, Buenos Ayres, and Peru: to Caraccas, and many other considerable towns, it was denied altogether. The utmost vigilance was exercised to prevent the importation of books from Europe which were not approved of by the government, and this department was confided to the Inquisition, whose officers had the right of making domiciliary visits whenever they pleased, and searching the closets and boxes of all persons whom they suspected. So late as 1807, a Mexican, named Don Jose Roxas, was

denounced by his own mother for having a volume of Rousseau in his possession, and confined for several years in the dungeons of the holy office. He ultimately made his escape to New Orleans, where he died in 1811.

Such is a rapid summary of the system of colonial policy enforced during three centuries by the court of Madrid. Whether we consider the mode of administering justice, of regulating commerce, of electing the municipalities, or of directing education, we observe partiality and exclusiveness every where dominant. The interests of each individual Creole were sacrificed to those of each individual Spaniard, and the interests of America at large were sacrificed to those of the mother country. Let our readers reflect on the principle of *fueros*—on the class of persons from whom the *alcaldes* and *regidores* were selected—on the general character of the *ayuntamientos*—on the exclusion of the natives from every public office; let them consider the prohibitions on local agriculture—the restrictions on internal and external commerce—the *peculations* of the custom-house, and the private trading licenses granted by the viceroys: let our readers meditate on all these facts, and they will find in them an ample justification of the war of independence. But the most heinous crime, at least in our eyes, committed against the colonists, was the interdict on education, for the spirit and intention of that law was to keep the intellect of America stationary, and perpetuate the ignorance of the natives. This policy was, indeed, equally observed in the mother country, for the priests of Spain have ever opposed foreign trade, and recommended the government to keep the Peninsula, as much as possible, a purely agricultural nation. They have always dreaded the intercourse of Protestant merchants, manufacturer, and sailors, with the Spanish population, lest new thoughts might be excited and new opinions brought into play, which would gradually, but certainly, undermine the foundations of their power.

It was not, then, the insurrection at Aranjuez, nor the invasion of Buonaparte, nor the captivity of the Spanish king, nor the abdication of the old dynasty at Bayonne, which caused the American revolution; these events merely afforded a favourable opportunity to the Creoles of asserting their liberty. The war of independence was created by three centuries of intolerable oppression, during which time the materials of revolt had been gradually accumulating. The minds of men were fully prepared to throw off the yoke, and they had before them the successful example of North America, which had to encounter a much more formidable opponent than the court of Madrid.

In subsequent numbers of this Magazine we propose to sketch the outline of the war of independence from the first operations of the curate Hidalgo to the deposition of Iturbide. This will necessarily confine us to Mexico, which is peculiarly interesting to Englishmen, on account of the large capitals invested by British speculators in the mines. We intend,

however, at a later period to notice the rise and progress of the other states now free, 'so as to condense within a small compass the entire modern history of South America.

ON THE ORIGINALITY OF DR. FRANKLIN'S WRITINGS.

I OBTAINED accommodation at the Washington Tavern, which stands opposite the Treasury. At this tavern I took my meals at the public table, where there was every day to be found a number of clerks, employed at the different offices under government: together with about half a dozen Virginians, and a few New England men. There was a perpetual conflict of opinions between these southern and northern men: and one night, after supper, I was present at a vehement dispute, which ended in the loss of a horse, a saddle, and a bridle.

The dispute was about Dr. Franklin: the man from New England, enthusiastic in what related to Dr. Franklin, asserted that the doctor, being self taught, was original in every thing that he ever published.

"Sir," replied the Virginian, "the writings of Dr. Franklin, so far from being original, exhibit nothing but a transposition of the thoughts of others. Nay, Franklin is a downright plagiarist. Let him retain only his own feathers, let those he has stolen be restored to their lawful possessors, and Franklin, who now struts about, expanding the gayest plumage, will be without a single feather to cover his nakedness. (A loud laugh from the whole company.)

New England Man. "If accusation, without proof, can condemn a man, who, sir, shall be innocent? Sir, you are a Virginian. I intend no personal reflection, but it is notorious that the southern people do not hold the memory of Franklin in much estimation: but hear what a Latin writer says of him: *Eripuit cælo*—something—Gentlemen, I have forgotten the most of my Latin; I cannot quote so correctly as I did once: but of this I can assure you, and you may take my word for it, that the compliment is a very fine one."

Virginian. "I know the line you advert to: it is an eruption of mad enthusiasm, from the disordered intellect of Turgot. But this is digressing from our subject. I maintain, and can prove, that Franklin is a plagiarist: a downright, barefaced, shameless plagiarist."

New England Man. "Franklin, perhaps, sir, had not that stoical calmness, which a great man in your state is remarkable for: he did not endeavour to catch applause by baiting his hook with affected diffidence. Franklin was above it. His penetration discovered, and his candour acknowledged, that sheer impudence was at any time less injurious than mock modesty."

Virginian. "Sir, an oracular darkness accompanies your discourse. But why retreat? Why not stand your ground? Why not evince yourself the champion of Franklin? Again I throw down the gauntlet! Franklin I maintain was a shameless plagiarist."

New England Man. "Have you a horse here, my friend?"

Virginian. "Sir, I hope you do not suppose I came hither on foot from Virginia. I have, sir, in Mr. White's stable, the prettiest Chickasaw that ever trod on four pasterns. I *swopped* her for a roan horse. Mr. Gibbs, you remember my roan (turning to a man in company). I say, I swopped her for a roan, with Mad-dog, the Chickasaw chief, who lives on the Mississippi."

New England Man. "And I have a bay mare here, that I bought of Nezer Mattocho, at Salem. I gave ninety dollars in hard cash for her. Now, I will lay my bay mare against your Chickasaw, that Dr. Franklin is not a plagiarist."

Virginian. "Done! Go it—waiter—you waiter?"

The waiter obeyed the summons, and making the Virginian a low bow, replied, "You call, Massa Ryland?"

Virginian. "Yes, Atticus. Bring down my portmanteau out of my room. I never travel without books. And it critically happens that, in my portmanteau, I have both Franklin's *Miscellanies*, and Taylor's *Discourses*."

The trunk being opened, the Virginian put Franklin's *Miscellanies* into the hands of the disputant, and desired he would read the celebrated parable against persecution.

New England Man reading. "And it came to pass, after these things, that Abraham sat in the door of his tent, about the going down of the sun. And behold a man, bent with age, coming from the way of the wilderness leaning on his staff! And Abraham arose and met him, and said unto him, turn in, I pray thee, and wash thy feet, and tarry all the night; and thou shalt arise early in the morning, and go on thy way: and the man said, nay: for I will abide under this tree. But Abraham pressed him greatly: so he turned, and they went into the tent. And Abraham baked unleavened bread, and they did eat. And when Abraham saw that the man blessed not God, he said unto him, wherefore dost not thou worship the most High God, creator of heaven and earth? And the man answered, and said, I do not worship thy God, neither do I call upon his name; for I have made to myself a God, which abideth in my house, and provideth me with all things. And Abraham's zeal was kindled against the man: and he arose and fell upon him, and drove him forth with blows into the wilderness. And God called unto Abraham saying, Abraham where is the stranger? And Abraham answered and said, Lord, he would not worship thee, neither would he call upon thy name; therefore have I driven him out before my face into the wilderness.

And God said, have I borne with him these hundred and ninety-eight years, and nourished him and clothed him, notwithstanding his rebellion against me : and couldst not thou, who art thyself a sinner, bear with him one night ? ”

The New England Man having read the parable, he turned to the company, and, with tumultuous rapture, exclaimed, “ What a noble lesson is this to the intolerant ? Can any thing speak more home ? Why the writer seems inspired ! ”

“ And inspired he was,” cried the Virginian. “ There is nothing in the parable, sir, natural : every word of it was revealed. It all came to Franklin from Bishop Taylor. There, sir ; read, and be convinced. This book was printed more than a century ago : it is a volume of polemical discourses.”

New England Man (reading). “ When Abraham sat at his tent door, according to his custom, waiting to entertain strangers, he espied an old man, stooping, and leaning on his staff, weary with age and travel, coming towards him, who was an hundred years of age. He received him kindly, washed his feet, provided supper, and caused him to sit down : but observing that the old man ate, and prayed not, nor begged for a blessing on his meat, he asked him why he did not worship the God of heaven ? The old man told him, that he worshipped the fire only, and acknowledged no other God. At which answer Abraham grew so zealously angry, that he thrust the old man out of his tent, and exposed him to all the evils of the night, and an unguarded condition. When the old man was gone, God called to Abraham, and asked him where the stranger was ? He replied, I thrust him away, because he did not worship thee. God answered him, I have suffered him these hundred years, although he dishonoured me ; and couldst not thou endure him one night, and when he gave thee no trouble ? ”

The New England Man having done reading, the Virginian leaped from his seat, and, calling the waiter, exclaimed, “ Atticus ! tell the ostler to put the bay mare into the next stall to the Chickasaw, and, do you hear, give her half a gallon of oats more, on the strength of her having a new master.”

Here followed a hearty laugh from the audience ; but the New England Man exhibited strong symptoms of chagrin. “ Devil take Franklin,” said he ; “ an impostor, a humbug. If he ever attained the wish he expresses in his epitaph, of undergoing a new edition in the next world, may his plagiarism be omitted, that no more wagers may be lost by them.”

“ His epitaph, did you say, sir,” cried the Virginian. “ I hardly think he came by that honestly.”

New England Man. “ Sir, I will lay you my saddle of it : a bran new saddle. Jonathan Gregory, of Boston, imported it from London.”

Virginian. “ My saddle, sir, is imported too. I swopped a double

barrelled gun for it, with Mr. Racer, of Fairfax county. And I will not only lay my saddle against yours, sir, that Franklin did not come honestly by his epitaph, but I will lay my snaffle bridle, and my curb, my plated stirrups and stirrup leathers; aye, and my martingale into the bargain."

New England Man. "Done! go it! Now for your proof."

Virginian. "Is there any gentleman in company, besides myself, who understands Latin. If there is, let him have the goodness to speak."

New England Man. "This gentleman who came with me from Salem is not only a Latin, but a Greek scholar. He was reared at Cambridge.* He will talk Latin with Professor Willerd, an hour by the clock."

Virginian. "Then, sir, I believe he will adjudge to me your imported saddle. Will you do me the favour to introduce me to your companion."

New England Man. "This, sir, is Mr. Meadows. He is the author of an Ode on the Clam Feast."†

Virginian. "Mr. Meadows, give me leave. Within the cover of this book, you will find the epitaph which passes as Franklin's: I request you to read it aloud." Mr. Meadows reading—

"The body

BENJAMIN FRANKLIN, Printer,
(Like the cover of an old book,

Its contents torn out,
And stript of its lettering and
gilding,)

Lies here, food for worms,
Yet the work itself shall not be
lost,

For it will (as he believes) appear
Once more
in

A new and more beautiful Edition,
Corrected and Amended
by

The Author."

New England Man. "Well, sir, what objection can you make to this? Does it not breathe humility? Is't not a lecture on morality?"

Virginian. "Sir, it was not honestly come by. Franklin robbed a little boy of it. The very words, sir, are taken from a Latin epitaph, written on a bookseller, by an Eton scholar. Mr. Meadows, do, sir,

* An University near Boston.

† The first emigrants to New England appeased their hunger, upon landing on the shore of America, with some shell-fish they found on the beach, known in popular language by the name of *clams*. The anniversary of this day is every year celebrated on the spot by their descendants, who feast upon clams.

read the epitaph, which I have pasted on the cover." * Mr. Meadows reads.

"Vitæ volumine peracto
 Hic finis JACOBI TONSON,
 Perpoliti Sosiorum principis
 Qui, velut obstetrix Musarum
 In lucem edidit
 Felices ingenii partus.
 Lugete, scriptorum chorus,
 • Et frangite calamos :
 Ille vester, *marginē erasus, deletur !*
 Sed hæc postrema inscriptio.
 Huic *primæ* mortis *paginæ*
Imprimatur,
 Ne *prelo sepulchri* commissus
 Ipse editor careat titulo :
 Hic jacet Bibliopola
Fotio vitæ delapso
 Expectans Novam Editionem
 Auctiorem et Emendatiorem."

Virginian. "Well, Mr. Meadows, what say you ? Is this accidental or studied similitude ? What say you, Mr. Meadows ?"

Mr. Meadows. "The saddle, sir, is yours."

On hearing this laconic but decisive sentence pronounced by his friend, the New England Man grew outrageous, which served only to augment the triumph of the Virginian. "Be pacified," cried he, "I will give you another chance. I will lay you my boots against yours that Franklin's pretended discovery of calming troubled waters, by pouring upon them oil, may be found in the third book of Bede's Church History ; or that his facetious essay on the air bath is poached word for word from Aubrey's Miscellanies. What say you ?"

"Why, I say," returned the New England Man, "that I should be sorry to go bootless home, and, therefore, I will lay no more wagers about Dr. Franklin's originality."

ANTIQUITIES OF GUERNSEY.

As no printed record exists of the local history of the channel islands in any degree worthy of their real importance, it will form one of the objects of this Magazine to preserve the memorials of past times as well as modern transactions. We earnestly invite contributions on the antiquities of Guernsey and Jersey from all who desire to support this periodical, and as we are assured that many families in both islands possess documents

* If it should be objected that Franklin was ignorant of Latin, let it be told that an English translation of this epitaph may be found in the Gentleman's Magazine for February, 1736. From this source Franklin probably borrowed his thought.

of this character, we hope that this request will not be refused. As a commencement of this series of papers, we have collected the names of all the ancient bailiffs and governors of Guernsey, and shall be happy to receive a similar list of the same officers in the olden times of Jersey.

The first bailiff was Gautier de la Salle, elected in 1264. He was succeeded by Nicolas de Beauvoir in 1282. There are no documents now existing bearing their signature. Jean de la Lande was elected in 1302, and we have seen letters of his in Latin, and signed. The fourth bailiff was Pierre de Garis, who was appointed to that office in 1325, some of whose letters are still preserved. In his time Ralph de Beauchamp and Henry de la Meulles were jurats, and their names are the first we have been able to discover in that office. Edmund Nicolas was elected bailiff in 1346; Hellier Nicolas, in 1360; Jean Le Marchant, in 1394; and Jean de St. Georges, in 1397. Edmund de Chesné was elected in 1409; Thomas Coquerell, in 1412; Thomas de la Cour, in 1443; Jean Henri, in 1446; Guillaume Quertier, in 1450; Pierre de Beauvoir, in 1479; Nicolas Favochin, in 1481; Jean Martin, in 1497; Jean Blondel, in 1488; James Guilles, (so written in the old manuscript,) in 1512; Jean Herivel, in 1546; Hellier Gosselin, in 1550; Thomas Campton, in 1567; Guillaume de Beauvoir, in 1572; Thomas Viemore, by birth an Englishman, in 1585; Louis de Vicken, in 1594; Amice de Carteret, in 1602; Jean de Quertevil, in 1631; Pierre de Beauvoir, in 1644; Amice Androts, (so spelt in the old manuscript,) in 1648.

We have now arrived at the period of the rebellion in England, the effects of which were felt in Guernsey. Amice Androts, above named, bearing the insular title of Seigneur de Seaumarée, was dispossessed of his office, which he held under the royal commission, by Pierre de Beauvoir, Seigneur des Granges, who was supported first by the parliament, and afterwards by Cromwell. During the period of eighteen years of the civil war and the commonwealth, the jurats of Guernsey exercised the functions of bailiff, each in their turn, for one month, a peculiarity sufficiently curious to merit being recorded. At the restoration of Charles the Second, every thing returned into the accustomed channel, and every innovation was corrected, so that the rights, privileges and immunities of the people suffered no detriment in any respect whatever.

We now proceed to the governors of Guernsey.

The name of the first governor, so far as we have been able to discover in ancient records, was Julien du Plaque, a Frenchman. He was succeeded by George Balizon, a native of the same country. The third was Stephen Wallart, an Englishman, described as a relative of an old English family, which inclines us to think that the real name is Waller. The fourth governor was Pierre Cornett, who commenced the castle, called after him Château Cornett. His immediate successors were William Nethfonde, an Englishman, Edmon Rose, and Octovis Le Grand, holding

the islands of the bailiwick in fee farm, as explained in the patent of Edward the Third. The next was Jean Titchfield, an Englishman, and probably one of the ancestors of the present family of Portland, the marquise attached to that dukedom being distinguished by the title of marquess of Titchfield. The two next were William Weston and Richard, called Richard L'Anglois. They were succeeded by Pierre Meautis, who conspired with the French to deliver up the island, and, in furtherance of this treachery, our manuscript says that several galleons were sent from Marseilles, but the plot proved abortive. After him followed François Camberlain, Leonard Camberlain, Thomas Leython, lord Souches (quære ? Zouch), lord George Carey, and lord Henry Dayvreus, earl of Danby. Peter Osborn, the brother of the earl of Danby, was the next governor. During his time the rebellion broke out in England, and in the year 1644 he held Castle Cornett for the king against the parliament, and battered the town of St. Peter's Port with cannon. During twelve years he blockaded the harbour, so that boats or vessels could only unload at St. Sampson's, and our manuscript states that he fired more than one thousand balls during the above period. This appears to be exaggerated, for, unless his gunners were very unskilful, so many shots must have reduced the town, which must have been very small in those days, into a complete heap of ruins.

During the civil war and the commonwealth several governors were sent from England. The first was the earl of Norwich, who appointed, as his delegates, twelve commissioners to superintend the affairs of Guernsey, Alderney, and Serk, subject to the supreme authority of the parliamentarians. He was succeeded by colonel Robert Russell. After him followed colonel Cox, who remained but a very short time in the island, and appointed an officer, named Magor, military commandant of the troops. The successors of Cox were colonel John Bingham, Henry Warsey, lieutenant-colonel Wayvern, and captain Sharp. During the administration of this last, Charles the Second was restored, and proclaimed king in Guernsey by Abraham Carey, at that time sheriff, and Nathaniel Dorel was sworn as lieutenant-governor, under the royal commission, on the 2d May, 1661, at which same date Amice Androts was appointed bailiff. The governor in chief was Hugh Pollard, knight bannerett, who appears to have been instantly superseded, as intelligence was received in Guernsey on the 12th May, 1661, that lord Christopher Hatton was nominated in his stead.

Our manuscript gives a curious statement of the militia force of the island, when mustered on the 27th August, 1621. The town furnished three hundred and twelve men; St. Peter-in-the-Wood, one hundred and twenty; Torteval, forty-five; St. Andrew's, sixty-three; St. Martin's, one hundred and thirty-six; the Forest, sixty; St. Sampson's, fifty-seven; the Câtel, one hundred and twenty; the Vale, one hundred and fourteen; St. Saviour's, one hundred and thirty. In all, eleven hundred and fifty-seven fighting men.

GUERNSEY MECHANICS' INSTITUTION.

Mr. Ollivier's Lectures on the Properties of Atmospheric Air.

MR. OLLIVIER commenced by observing, that there is no subject which has a higher claim to our notice, or is more generally disregarded, than the air in which we live. Every one knows that it is indispensable to the support of life, but few understand the mode of its operation, in performing the important functions to which it is destined; nor the means by which it is rendered deleterious and injurious to the animal system, though such knowledge ought to be possessed by every one desirous of preserving health and preventing disease. The thin invisible fluid in which we are enveloped contains suspended in it, or mixed with it, the various gases, vapours and exhalations, that are constantly arising from the earth's surface, all of which are comprehended under the general name of the atmosphere. It has been computed to extend about forty-five miles above the earth's surface, and it presses on the earth with a force proportioned to its height and density. Atmospheric air is now ascertained to be a compound body, formed of two very different ingredients, termed *oxygen* and *nitrogen gas*. Of one hundred measures of atmospheric air, twenty-one are oxygen, and seventy-nine nitrogen. The one, namely, oxygen, is the principle which supports combustion, and sustains animal life; and the other is altogether incapable of supporting either flame or animal life. There is also a minute quantity of carbonic acid gas diffused through the atmosphere. It is one of the products of combustion and respiration. The nature of the subject naturally suggested its division into two parts: first, its mechanical, and, secondly, its chemical properties. By its mechanical properties are meant its elasticity, weight, pressure, and effects arising therefrom; and by its chemical properties, its composition, and agency in supporting combustion and sustaining animal life. The air is justly considered a fluid, as it possesses all the properties which distinguish fluids, for it yields to the least force impressed, its parts are easily moved among one another, it presses according to its perpendicular height, and its pressure is every way equal. But there is one characteristic in which it differs from other fluids, such as oil, water, &c., as it may be said to be almost *infinitely elastic*. Pressure may be exerted upon atmospheric air almost to any extent without producing the least alteration in its properties, as it instantly resumes its former state when the pressure is removed. This fact may be illustrated by a simple experiment. The lecturer here exhibited a *bladder*, from which nearly the whole of the air had been pressed out, and observed, that the air remaining in it, although elastic, did not expand, because the external air pressed in every direction upon the surface of the bladder—the pressure of the air being an exact balance for its elasticity. But upon placing the *bladder* under the receiver of the air pump, and exhausting the air which surrounded it, the outward pressure being removed, the particles of air, by their elasticity, distended, and consequently the bladder appeared fully inflated. The removal of the atmospheric pressure thus enabled the air within the bladder to exert its elasticity or spring; but upon re-admitting the air into the receiver, the bladder suddenly collapsed to its former dimensions. The same effect was then exhibited in two or three other experiments. In order to illustrate the pressure of the air, the lecturer directed the attention of the audience to the receiver of the air pump. When exhausted of air it became so forcibly held down, that it could not be removed from the plate of the machine, although considerable force was applied. But when the air was admitted no tendency to adhere to the pump plate was evinced, and the receiver could be removed with the greatest facility. Now, the weight of the atmosphere is the

power which thus fixes the receiver to the machine. By exhausting the air within the receiver, the reaction which would arise from the spring of the inclosed air is destroyed, and consequently the weight of the atmosphere presses upon its surface and produces this effect. The pressure of the atmosphere was then illustrated in another manner: an open receiver, covered with a piece of bladder, was placed on the pump plate, and upon exhausting the air from the vessel, the membrane was driven inwards. A receiver was also produced, into the upper part of which a wooden cup had been fitted—some quicksilver was poured into this cup, and the receiver was exhausted: when the weight of the atmosphere, pressing upon the surface of the metal, actually caused it to permeate the pores of the wood, and a shower of quicksilver descended into a vessel placed within the receiver. The lecturer then demonstrated that air could be weighed in a balance: a Florence flask, furnished with a valve, was exhausted, and suspended to one arm of a balance; it was then accurately counterpoised. The air being admitted by lifting up the valve, it immediately preponderated. The flask contained about half a pint, and it took four grains to restore the equipoise; consequently we may infer, that half a pint of air weighs about four grains. From experiments made by the barometer, it has been ascertained that the air presses with a weight of about fifteen pounds on every square inch of the earth's surface; and, therefore, its pressure on the body of a middle-sized man is equal to about thirty-two thousand pounds, or fourteen tons avoirdupois, a pressure which would be insupportable, and even fatal, were it not equal in every part, and counterbalanced by the spring of the air within us. This pressure is essentially necessary for the preservation of the present constitution of our globe, and for preserving the vessels of all organized beings in due tone and vigour. Were the atmospherical pressure entirely removed, the elastic fluids contained in the finer vessels of men and other animals would inevitably burst them, and life would become extinct. The necessity of the atmospherical pressure, for the comfort and preservation of animal life, might be illustrated by the effects experienced by those who have ascended to the summits of very high mountains, or who have been carried to a great height above the surface of the earth in balloons. Acosta, in his relation of a journey among the mountains of Peru, states, that "he and his companions were surprised with such extreme pangs of straining and vomiting, and casting up of blood, and with so violent a distemper, that they would undoubtedly have died had they remained two or three hours longer in that elevated situation." Count Zambeccari and his companions, who ascended in a balloon, on the 7th November, 1783, to a great height, found their hands and feet so swelled, that it was necessary for a surgeon to make incisions in the skin. In both the cases now stated, the persons ascended to so great a height, that the pressure of the atmosphere was not sufficient to counterbalance the pressure of the fluids of the body.

It is this action of the atmosphere which enables the limpet to attach itself to the rocks. It forms a vacuum in its pyramidal shell, and the pressure of the atmosphere supports it where it wishes to remove. It is also thus that snails attach themselves firmly to walls, or to the trunks or boughs of trees, and may be seen even to crawl with their bodies suspended beneath them. The under portion of their bodies is furnished with powerful muscles, which enable them to form a hollow space or cavity in any portion of its length. Their method of fixing themselves to any surface is to raise their bodies into a hollow or cavity; producing a vacuum underneath this cavity, the edges of which are closely pressed upon the surface, and the whole body suspended to it by the external atmospheric pressure, attaching in this manner different portions of their bodies successively to different parts of the surface on which they wish to move, they may be seen walking with

their shells suspended beneath them, not only up perpendicular walls, but also along the smooth surface of a ceiling of a room. The plaything of children, called a sucker, affords also another illustration of the pressure of the air ; it consists of a circular piece of leather, suspended by its centre from a string. If this be wetted and applied to the surface of a stone or any smooth heavy mass, and then an attempt be made to remove it by pulling the string, it will be found to oppose a powerful resistance to separation from the surface on which it has fixed itself ; and rather than yield, it will, if the weight of the mass be not considerable, carry it away with it.

The reason of this is obvious : the string being pulled, the leather is slightly raised in its centre, and the cavity beneath it is a vacuum, no air having been allowed to enter by reason of the close contact of the edges of the wet leather with the stone. This being the case, the pressure of the air is removed from that portion of the stone which is beneath the surface of the leather ; its pressure upon the opposite side of the stone is, therefore, unsustained ; the stone is, then, by that unsustained force, pressed towards the leather ; again, by the pressure of the atmosphere on the external surface of the leather, it is pressed against the stone. Thus, then, the leather and stone are attached to one another. It is precisely upon this principle that flies are enabled to fix themselves upon a perpendicular pane of glass or upon the ceiling of a room. They have a contrivance in their feet by which they are enabled to raise the central portions of these as the centre of the sucker is raised by the string, a vacuum being thus formed underneath the foot, it becomes fixed upon the surface on which it is planted.

The air not only presses downwards, but also upwards, sideways, and in every direction. The lecturer then proceeded to illustrate this upward and lateral pressure of the air. He placed a card on a wine glass filled with water ; the glass was inverted, but the water did not escape, the pressure of the atmosphere on the outside of the card being sufficient to support the water. He then exhibited a long tube, open at one end and closed at the other, with a small aperture in the centre ; this was closed by means of a small cork. The tube was then filled with mercury, and inverted in a bowl containing a portion of the same metal ; the mercury descended a few inches in the tube and left a vacuous space at the top. The lateral aperture was then opened, and the column of metal was divided into two, by the pressure of the atmosphere, one half immediately descended into the basin, but the other half was driven up with force against the top of the tube. The first experiment is a demonstration of the upward pressure of the air, and the second of its lateral pressure. A funnel was then exhibited, by means of which, from the peculiarity of its construction, water might be made to appear as though transmuted into wine, and which depended for its action both on the upward and lateral pressure of the air. The lecturer then gave a practical demonstration of its transmutating properties, and remarked that it was sometimes exhibited by jugglers and mountebanks in order to impose on the credulity of the ignorant. A siphon and the cup of Tantalus were then also exhibited as another illustration of the pressure of the atmosphere. It is also by means of this power that we are enabled to raise water from beneath the surface of the earth by the common pump. In this operation the atmosphere presses equally upon the whole surface of the water in the well, until the rod of the pump is moved ; but, by forcing the rod down, the bucket compresses the air in the lower part of the barrel, which, being elastic, forces its way out of the barrel through the valve ; so that when the bucket is again raised, that part of the pump barrel under the bucket is void of air ; and the weight of the *atmosphere*, pressing upon the body of water in the well, forces up a column of water to supply its place : the next stroke of the pump rod causes

another column of water to rise ; and so long as the bucket fits the barrel close enough to produce a vacuum, a constant stream of water may be drawn from below. Mr. O. then exhibited a small glass model of the common pump, the lower end of which was immersed in coloured water. When the rod was worked the action of the valves became visible, and the water ascended in the barrel, which soon escaped through the lateral pipe. And to prove that it was not any sucking power in the pump that caused the water to ascend, but solely the pressure of the atmosphere, a receiver was placed on a moveable plate and screwed to the air pump, and exhausted. To prevent the return of the air into the receiver, the stop cock which connected it with the machine was turned. The whole was then removed from the machine. A pipe was screwed on to the stop cock, and this was placed in a vessel of water. As soon as the cock was turned, the water rushed up with great force into the exhausted receiver. This experiment has usually been called the *fountain in vacuo*.

The ascent of the water in the barrel of the pump was attributed, by the ancient philosophers, to nature's abhorrence of a vacuum ; and the circumstance, which tended to invalidate this opinion, was an attempt to construct a pump, to draw water from a much greater depth than usual, when it was found that water would not rise to a greater height than about thirty-three feet. The case was referred to Galileo, but being unable to account for this phenomenon, he contented himself with saying that nature's abhorrence of a vacuum reached only to a certain extent, and he recommended the study of the subject to his friend Torricelli, who tried a great variety of experiments, which led him to believe, that the pressure of the atmosphere was the cause of the ascent of the water in the pump barrel, and therefore, that the weight of the column of water was exactly equivalent to the pressure by which it was driven up. Hence he drew the inference, that if this pressure supported a column of water thirty-three feet in height, it would also support a column of quicksilver of a height proportionate to the relative weights of the two fluids. This led him to perform the grand experiment of filling a tube with quicksilver, and inverting it in a vessel of the same metal ; when the quicksilver immediately descended to a certain distance, leaving above it a *vacuous space*, since called the *Torricellian vacuum*. He found, as he had anticipated, that the weight of the quicksilver supported in the tube, was equal to the weight of a column of water thirty-three feet in height ; and, consequently, that the heights at which the two fluids were sustained, were proportionate to their respective weights. Mr. O. then proved that it is the weight of the atmosphere that keeps the mercury suspended in the barometer tube, by introducing one under a receiver, and abstracting the air. As the air was exhausted the pressure being removed, the mercury descended into the cistern. But when, by readmitting the air, the atmospheric pressure was restored, the mercury in the tube ascended to its former altitude. As the weight of the atmosphere is influenced by changes in the weather, it follows that variations in the weather will affect the height of the column of quicksilver. Hence the great utility of the barometer in indicating these changes ; in tubes of glass mercurial columns rise or sink, obedient to the incumbent skies.

Another very remarkable use of the atmosphere arises from its property of holding in solution the aqueous vapour which is constantly forming by evaporation. We are aware that when a vessel of water is allowed to remain exposed to the air, the whole of the water ultimately disappears, and must therefore be mixed with the atmosphere ; and as this process of evaporation is constantly going on, there must be an immense quantity of *aqueous vapour* in the air, a cubic foot of which is capable of holding in solution eleven or twelve grains of water. When Dr.

Halley was at St. Helena, he made a variety of curious experiments on the evaporation of water from the surface of the sea, and found that ten square inches of water evaporated one cubic inch in twenty-four hours, or that a surface of a square mile would evaporate daily six thousand nine hundred and fourteen tons. It is calculated that the Mediterranean sea evaporates daily no less than five thousand two hundred and eighty millions of tons; but this quantity is much greater than is evaporated by any other body of water of equal surface, owing to its proximity to the land which surrounds it on all sides. This water, in the form of clouds, is conveyed by the winds over various regions, till at last it becomes condensed, and descends in rain and dew, to supply the springs "which run among the hills;" so that through the medium of the atmosphere, the watery element constantly circulates, that it may serve as an agent for carrying forward the various processes of nature, and for ministering to the wants of man and beast. If the atmosphere had not this property of holding water in solution, no clouds, rain, nor dew, could be formed to water and fertilize the different regions of the earth, and it would be turned into a dry and parched wilderness. "The air and the sun," says an elegant writer, "constitutes the mighty engine which works without intermission to raise the liquid treasures, while the clouds serve as so many aqueducts to convey them along the atmosphere, and distribute them at reasonable periods and in regular proportions, through all the regions of the globe." A little consideration would convince any one of the importance of evaporation, even in the common affairs of life; without it neither grass nor corn could be sufficiently dried to lay up for use; *our clothes, when washed, could never be dried*; and a variety of common operations, which now conduce to our convenience and comfort, could never be carried on. In the operation of these laws, we see strikingly displayed the infinite wisdom of the Creator: "He causeth the vapours to ascend from the ends of the earth; he sendeth the springs into the valleys, which run among the hills; they give drink to every beast of the field; the wild asses quench their thirst; by them the fowls of heaven are refreshed, which sing among the branches; he watereth the hills from his chambers, and the earth is satisfied with the fruit of his works." The use of water in the atmosphere, appears evident from the effects which it produces when deprived of this essential component. There is occasionally, in the interior parts of Africa, a dry wind, which probably loses its vapour by passing over the burning sands of the desert, and which produces the most singular and inconvenient effects. The grass in a day or two becomes dry and parched like hay; the young and tender leaves wither and fall off; and if it continues a week, the leaves of the orange, lemon, and lime trees, may be crumbled to a dry powder by the fingers; fruit ripens with rapidity, but is destitute of flavour, and does not attain half its usual size. This wind causes the eyelids and nostrils to become excoriated, and occasions the scarf skin to peel off.

We may easily satisfy ourselves that air contains water by the following simple process. If some of the salt called muriate of lime, that has just been heated red, be exposed to the air, even in the driest and coldest weather, it will increase in weight and become moist; and in a certain time will be converted into a fluid. If put into a retort and heated, it will yield pure water; will gradually recover its pristine state, and, if heated red, its former weight; so that it is evident that the water united to it was derived from the air—and that it existed in the air in an invisible and elastic form, is proved by the circumstance, that if a given quantity of air be exposed to the salt, its volume and weight will diminish, provided the experiment be correctly made.

The moisture contained in the atmosphere is usually estimated by means of the *hygrometer*. We may easily understand the principle upon which this instrument

acts, by observing the effects produced on a common clothes line by changes in the state of the air. Hemp shrinks when in a wet state; if, therefore, a hempen line be stretched when wet, it will become lengthened and hang loosely when dry. If, on the contrary, the line be stretched when in a dry state, it will, on being wetted, contract with such force as either to break or to pull out the hooks by which it is fastened. Hence a *hygrometer* may be constructed with a common piece of pack-thread. A weight being suspended to it and a graduated scale attached, the *packthread* will contract and expand according to the degree of humidity in the air. There is a great variety of these instruments, all made with porous substances, which contract and dilate according to the dryness and moisture of the air. Slips of whalebone, strings of cat gut, and the beard of the wild oat, are the substances most commonly employed in fabricating these instruments. They do not indicate, however, the real quantity of water in any given portion of atmospheric air; but merely show when aqueous vapour dissolves with difficulty in the atmosphere, or when vapours are about to precipitate upon the earth. Many substances, from the absorbent power they possess, weigh heavier in wet weather than dry; thus it is found that one hundred grains of thin ivory are capable of absorbing seven grains of moisture; the same quantity of eider down, fourteen grains; and of beechwood, twenty-eight grains. This shows how materially the value of certain purchases is affected by the state of the atmosphere: thus *beechwood*, *eider down*, and *wool*, are all sold by *weight*; and a purchaser who buys these commodities in wet weather, when they have absorbed their maximum of *moisture*, will therefore get less for his money than in *dry weather*, in the proportion of fourteen, sixteen, and eighteen per cent. respectively.

The quantity of water which exists in air as vapour, varies with the temperature. In proportion as the weather is hotter, the quantity is greater. At 50° Fahrenheit, air contains about 1-50 of its volume of vapour; at one hundred, supposing that there is a free communication with water, it contains about 1-14 part of its volume.

The leaves of living plants absorb likewise water from the atmosphere. Some vegetables increase in weight from this cause, when suspended in the atmosphere and unconnected with the soil; such as the house leek, and different species of the aloe. In very intense heats, and when the soil is dry, the life of plants seems to be preserved by the absorbent powers of their leaves: and it is a beautiful circumstance in the economy of nature, that aqueous vapour is most abundant in the atmosphere, when it is most needed for the purposes of life; and that, when other sources of its supply are cut off, this is most copious.

And again, the pressure of the atmosphere prevents the too rapid evaporation of water and other fluids; if the atmospheric pressure were diminished, water and other fluids on the surface of the earth would all be converted into vapour by a small degree of heat. On the tops of very high mountains, water will boil much sooner than on the plains, where the atmospheric pressure is greater; at the top of Mont Blanc it has been known to boil at the temperature of 187° Fahrenheit, whereas the usual boiling point of water is 212°; and it has been observed that many spirituous liquors, such as ether and spirits of wine, lose the best part of their qualities when exposed at such heights. The lecturer then, in illustration of this, exhibited the effects produced on the pulse glass when placed in the hand. It is a small tube with a bulb at each end, exhausted of air, and containing a small portion of spirits of wine. If this instrument be held with one end in the palm of the hand, the heat of the hand will quickly cause the spirit to boil; because the pressure of the atmosphere has been removed by exhausting the air from the glass. The lecturer also exhibited a flask, furnished with a stop cock, and containing a small portion of boiling water. The stop cock was then shut to exclude the air,

and cold water was applied to the flask. By this means, the vapour which occupied the upper part of the flask became condensed, consequently a vacuum was formed in the flask, and the water, though it had been partially cooled by the application of the cold water, was seen to recommence boiling with great violence. This effect can be attributed to nothing but the vacuum which has been formed in the upper part of the flask, and to the stop cock preserving, by being shut, the water from the pressure of the atmosphere. Water will boil in vacuo when heated only to 67°. On the contrary, if additional pressure be given to water by a Papin's digester, it may be heated to 400° without ebullition.

This property has been applied to a very useful purpose by an eminent sugar baker, who, by diminishing the *atmospheric pressure*, boils the sugar at 180° instead of 220°, which it requires in the open air, and thus obviates the danger of burning it, and prevents the formation of *empyreuma*. A similar process has also been adopted in the preparation of the extracts of Hemlock, Henbane, &c.*

Dr. Wollaston contrived an ingenious piece of apparatus, upon the same principle, for measuring altitudes by the *thermometer* instead of the barometer; for, as water boils at a lower temperature than 212° in the proportion to the diminution of atmospheric pressure, the temperature at which it boils must diminish according to its elevation above the surface of the earth; and such was the accuracy with which this principle was applied by Dr. Wollaston, that he could even measure the height of a house by means of this apparatus. The lecturer then gave a sketch of the theories of the causes of dew, rain, hail and winds, which he explained with his accustomed talent to the evident satisfaction of a numerous and delighted audience. We regret not having been able to give a more copious report of these interesting and valuable lectures on the present occasion, but as we shall always devote a portion of our pages to the transactions of the Mechanics' Institution, we shall take an early opportunity of supplying the present deficiencies.

REMARKS ON THE LAST BILLET D'ÉTAT.

Our English readers, who have never resided in the Channel Islands, may require to be told that a "Billet d'État" is an official document issued by the president of the States previously to their convocation, and which contains a list of the subjects on which the members are to give their votes, accompanied by such comments as may suggest themselves to the mind of the president. The States of Deliberation are composed of the bailiff and twelve jurats; the eight rectors of the ten parishes into which the island is divided; the king's attorney general; and one representative from each of the parishes; thus making up a total of thirty-two members. A bare majority of a single vote decides a question, and, in case the parties are exactly balanced, the president gives a casting vote.

Though this assembly bears the title of States of Deliberation, its proceedings by no means justify its name, which is in truth a sad misnomer. Our English readers are to understand that the Billet d'État is addressed to the constables of each parish, ordering them to report its contents to

* It is found that extracts prepared in this manner retain the medicinal virtues of the plant much better than when prepared in the usual way.

the douzaine of each parish, and when the members of each douzaine have made up their minds on each article of the Billet, they instruct their constable how he is to vote. Consequently, the constables proceed to the States of Deliberation absolutely fettered, and thus become mere reporters of the decision of their respective douzaines. Under such circumstances it is obvious that no deliberation can take place, for however convinced a constable may be, after having heard the arguments of any of the jurats or rectors, that his douzaine have erred in their judgment, nevertheless he cannot exercise the slightest discretion, but must rigidly pronounce the vote of his constituents. Hence it follows that, out of thirty-two votes ten are absolutely settled before the States Meeting is held, a system which surely calls loudly for amendment in a *deliberative* assembly.

Another evil in this system is the *initiative power* vested exclusively in the hands of the president. With him alone all measures must originate, no member being allowed to bring forward any motion of his own, and what is even still worse, no member can move an amendment to any of the propositions announced in the Billet d'État. They must either be rejected or adopted wholly and without qualification,—another curious anomaly in the construction of a *deliberative* assembly.

A minor grievance remains to be noticed, and, as it is easily corrected, we trust that our recommendation will not be slighted. We allude to the very short time that usually elapses between the publication of the Billet d'État and the convocation of the States. On the last occasion only one week was granted, although eight propositions were to be discussed, two of which involved a momentous principle. By this hasty method, the public have no time to reflect upon the questions about to be decided, and the newspapers are precluded from furnishing either facts or arguments in their defence or refutation. We earnestly hope that this plan will be discontinued for the future, and that a notice of a clear month will be allowed to examine attentively the contents of the Billet d'État; a privilege the more necessary on account of the limitations fixed on the members of the States Meetings to which we have alluded, and which utterly deprive them of all the essential characteristics of a *deliberative* assembly.

The first question submitted to the members at the last States Meeting related to the resignation of Peter Le Pelley, esq. Having discharged the unpaid and laborious duty of jurat for fifteen years, he petitioned to be released from that office, on the pleas of bad health and residence in Serk. His request was granted to him after a very doubtful conflict, the votes being seventeen in his favour, and twelve against him, three members being absent. As this decision has excited a very lively interest in the island, we feel it our duty to discuss it at some length.

It is a recognized principle in this bailiwick that the office of jurat is for life, and indeed every individual at his election takes an oath to that

effect. This argument was adduced by those who opposed the resignation of Mr. Le Pelley, and though it is unquestionable, as a general rule, that every man is bound to observe every engagement to which he has sworn, yet exceptions may exist, and we consider the present case to be one. To arrive at sound conclusions we must view the subject as a whole, and therefore not lose sight of the fact, that a jurat, once elected, is compelled to accept the office, however repugnant it may be to his feelings, under pain of imprisonment. Such a system we hesitate not to affirm is pure despotism, an invasion of individual liberty and an assault on individual conscience. What is pleaded in its justification? Custom: it is a rule established in the bailiwick: it was binding on our ancestors, and it must continue to be obligatory on the remotest posterity. Now we contend that the custom is both absurd and tyrannical, and is "more honoured in the breach than the observance." On what principle of justice can a community compel any one of its members to bind himself by an oath to discharge *for life* a duty that his conscience may repudiate? It is one thing to impose an oath obligatory on the individual who willingly accepts an office, but we protest against the doctrine of *compulsory* appeals to Heaven, which lowers the moral feelings of a judge at the very moment he is forced reluctantly on the bench. Suppose the case of a strictly conscientious gentleman being elected to the office of jurat, who, knowing himself utterly incompetent to adjudicate on questions of law, the principles of which he had never studied, declines to serve. He is then told, that he must accept one of two alternatives, either a seat on the bench, or a lodging in the gaol. Suppose him to reply to this mandate in the following terms: "I feel myself incompetent; I dread committing injustice, by giving erroneous sentences; I shudder at the thought of being compelled to give judgment in cases of life and death; but protesting, as I do, against this tyrannical custom, which not only deprives me of my personal liberty, but trenches also on my conscience, I feel resistance useless, and I submit to your despotic power." Now let a year or two elapse, when the same jurat shall demand his discharge, and shape his petition in the following words: "My peace of mind is destroyed; conscience smites me day and night; owing to my ignorance of the first principles of law, I have committed numerous acts of injustice; I have been compelled to use my own discretion on subjects with which I was wholly unacquainted; I have found, in the privacy of my home, that I have set up my poor opinion against that of the first judges in France and England, and being unable to grasp the whole argument presented by plaintiffs or defendants, I have frequently mistaken a part for a whole, destroyed the peace of families, ruined the widow, and beggared the orphan. I can no longer continue in office; I am aware of the oath I took when your tyranny forced me on the bench; I feel no compunction in liberating myself from the obligations of that oath, for the sin does not consist in *breaking* it, but

in *having taken* it. It is my duty rather to correct, than to persevere in, error, and I, therefore, now demand to resign an office, to the due discharge of which experience has proved me to be incompetent."

Now, in the event of such a petition being presented, two considerations immediately arise; first, the duty that the people owe to the petitioner himself; secondly, the duty that the people owe to themselves. The people are bound to respect the religious scruples and the conscience of the petitioner, and on that ground alone he is fully entitled to his discharge; and in reference to the best interests of the community themselves, common prudence admonishes them to release the petitioner from an office for which he declares himself to be unqualified. So much for that part of the argument which resisted Mr. Le Pelley's resignation, on the ground of his having sworn to continue a jurat for life.

The opponents also contended that Mr. Le Pelley ought to have his petition rejected on the score of expediency, because his fifteen years servitude had taught him the duties of a jurat. We are far from undervaluing the advantages of experience, but we think this argument a bitter satire on the whole scheme of electing judges. We contend that no man ought to be elevated to the bench, who is not fully qualified before he takes his seat. It is a curiosity in our legal system that, while the advocates are not allowed to practice before they have studied in France and received a certificate, the judges may be taken at a moment's notice from a counting-house. If the subject were not of too serious a complexion to provoke laughter, who could refrain from smiling at the admission, implied in the argument of expediency, that the judges learn their duties after they have been elected. This lets us into the secret why Terrien, Domat, Ferrière, Pothier, and the English judges and juriconsults, are, on occasions, so unceremoniously treated, and why such a tremendous latitude of interpretation hinges on those magical words "*Dans le cas actuel.*" This is the true cause why *principles* are so frequently adapted to *facts*, instead of facts being invariably governed by principles. We cannot, therefore, admit that Mr. Le Pelley's experience was any bar to his resignation, but rather, that the whole argument, if it proves anything, proves incontestably that the present mode of electing judges is vicious in the extreme.

Decided as is our opinion of the propriety of accepting the resignation of Mr. Le Pelley, we nevertheless entirely acquiesce in the judicious remark of our talented contemporary of *The Comet*, that the subject ought to have been referred to the States of Election, and not to the States of Deliberation. For the information of our English readers, it may be observed, that the States of Election comprehend one hundred and seventy-four members, consisting of the following functionaries: the bailiff, twelve jurats, and the king's attorney general; the eight rectors of the ten parishes (the Vale being united with St. Sampson's,

and the Forest being consolidated with Torteval) ; the two constables in each parish ; the twelve douzainiers in each parish, excepting the town parish, called St. Peter's-Port, wherein there are twenty, and the Vale which has sixteen. Now all the jurats are elected by this body of one hundred and seventy-four voters, on which account they are called the States of Election, and they constitute the supreme local tribunal of the bailiwick. Their suffrages placed Mr. Le Pelley on the bench, and their suffrages alone ought to have released him. His contract was made with them, and surely they ought to have been consulted on this occasion, instead of which their prerogatives has been usurped by an inferior tribunal. "This is an anomaly," says the editor of *The Comet*, "which we cannot comprehend." Pray, does he know any one that can ? He thus proceeds : "Surely if the constitution of this country has willed it that one hundred and seventy-four voters are necessary to represent the whole community, and that that number should vote in the election of a jurat by the same rule, only those that have the power to appoint should have the privilege of undoing their own act and deed, without being subjected to a small fractional part of their own body." The absurdity is glaring enough ; but, unfortunately, it has its parallel in the practice of appealing to the court of jurats to give validity by their private ordinance to all decrees agreed upon by the States, thus making the authority of the bailiff and twelve jurats superior to that of the whole country.

The next proposition contained in the Billet d'État related to a dispute between James Priaulx, esq., proprietor of the island of Lihou, and the inhabitants of Guernsey in general, as to the nature and extent of the public right to dry sea-weed on that island. Our English readers will appreciate the importance of this question, when they are told, that the agricultural prosperity of the bailiwick depends almost entirely on sea-weed, which is universally used as manure, and which a bounteous Providence has liberally bestowed on these coasts. An action had been brought by the constables of St. Peter's-in-the-Wood, the Forest, and Torteval, (parishes most contiguous to Lihou,) against Mr. Priaulx, and as the case was of national importance, it was proposed and carried that the States should intervene in the cause, thus making the representatives of the people joint defendants with the above-named constables. That this is a public question, we admit ; but here again we encounter another anomaly, for the States of one hundred and seventy-four members are compelled to defend an action at law by the order of the States of thirty-two members. Surely this condition of things both requires and admits of amendment, for it not only militates against common justice, but directly violates the ancient constitution of the country, which we will take an early opportunity of proving by documentary evidence.

The third proposition was based on a petition for the grant of £500 to erect a new church at the Bouët, and signed by the bishop of Winchester, the dean of Guernsey, William Brock, of Brockhurst, George Hounsom, and John Hubert, esqrs. It was carried, by a majority of three, that £200 should be advanced, there being sixteen for, and thirteen against, the measure. The dean of Guernsey, by virtue of his sacerdotal office, and Mr. Hubert, in his capacity of jurat, *two of the petitioners*, were in the majority ; but we are decidedly of opinion that they had no legal or constitutional right to vote at all on the subject, as they were interested parties. It also appears that the constable of St. Peter's-Port was instructed by his douzaine to give a *conditional* vote, instead of which he

gave an absolute one. Had the constable strictly obeyed his constituents, and the two petitioners abstained from voting, this unwarrantable proposition would have been lost. Mr. Retilley made an excellent speech on this occasion, and successfully refuted every argument and every statement adduced by the chief orator of the petitioners, the rev. Thomas Brock. He clearly showed that the Bouët district, instead of being, as pretended, densely populated, only contained three hundred and fifty people, who had erected a methodist chapel for themselves out of their own funds : and when the rev. Thomas Brock stated that he meant by the Bouët district to include a sweep of three miles, (and it would have shown just as much regard for descriptive nomenclature had he included the whole island,) Mr. Retilley produced the population returns of 1828, and reduced the numbers from two thousand to twelve hundred, the sweep, and all outside the sweep, included. He further remarked, that not one single person resident in the Bouët had signed the petition, so that no necessity for any new church was apparent. He easily disposed of the attempt to create a precedent from Torteval church, which was the parochial church, and towards its erection the inhabitants themselves had voluntarily subscribed five shillings per quarter, or one fourth of their revenue, whereas the people of the Bouët had not advanced one farthing, and for the best of all reasons, because they had built Wesley chapel, and did not require a church of England temple.

We have pledged ourselves not to introduce religious discussion into this Magazine, and we intend on all occasions to fulfil our engagement with the public : but we may without impropriety ask, how long is this vote of the States to remain suspended ? for unless the remaining funds be subscribed, of course the whole plan must fall to the ground, and it never could have been intended that this money should be locked up, perhaps for many years, before the enterprise shall be totally abandoned. We think that some period should be limited, say three months, at the expiration of which, unless the whole be forthcoming, the vote of the States should be rescinded. The necessity for this restriction is the more urgent, as the five trustees hold irresponsible power, and were one of them to die, the four survivors are authorized to elect his successor, and this junta can appoint any clergyman they may choose to name, while the public, who have paid their money towards the erection of the church, have no right whatever of interference. This is in truth a revival of the principle of rotten boroughs, and, if adhered to, will strongly operate to deter many from subscribing. We shall make but one more remark on this subject, to wit, that all grants for public money ought to be submitted to the States of Election, and not to the inferior States of Deliberation, for when burthens are thrown on the people, they ought in justice to be sanctioned by the whole body of their representatives, and not by a fractional section.

The next subject for decision grew out of an application from the Horticultural Society, for the States to grant them the small sum of twenty-one pounds per annum to distribute in prizes to those cottagers who reared the finest flowers and vegetables. As the States have already granted an annuity of thirty pounds to the Agricultural Society, which is laid out in præmiums for improving the breed of horned cattle, the president proposed to grant sixty pounds per annum to these united societies, the same to be divided in equal portions and to be applied to their respective departments on a plan hereafter to be arranged. In the

principle of this measure we trust that all parties will concur ; but whether the two societies should be distinct or united will depend on the *terms* of their association, on which we must suspend our opinion, till the plan contemplated is reduced into writing and laid before the public.

The fifth proposition related to the high roads, a sum of £1,700 being demanded to pay off arrears due to their formation, and to complete others now in course of operation. This was granted after some judicious remarks made by Mr. Retilley, as to the mode in which the financial reports have hitherto been drawn up. We are decidedly of opinion that no lumped accounts ought ever to be received, and that every supervisor or treasurer should exhibit a detailed balance sheet before he resigns his office. We have not space at present to enter fully into this subject, but we ask for information on one item—the proceeds of the lottery : Pray do these appear in Barbet's Almanack ? to which pseudo-official document Mr. Collings referred Mr. Retilley !! Our rulers may rest assured that Mr. Retilley spoke the sense of the public, who will no longer pay a clerk a high salary, and be put off with an Almanack instead of an official balance sheet. The bank of England are bound to publish the state of their affairs every quarter, showing the amount of their issues and their available assets, and the people of Guernsey are wanting to themselves, if they do not insist on the same publicity.

The sixth proposition related to a payment of £300 to the coasts committee, which was granted without discussion, though Mr. Guille put forth a somewhat novel argument on the art of road-making, insisting that in some cases soft materials were preferable to hard, gneiss to granite, and gravel to stone. Our knowledge of mineralogy is too limited to deny the accuracy of these apparently paradoxical conclusions ; and it is certainly to be regretted that the particular cases were not specified, and some facts adduced to illustrate so curious an argument.

The seventh proposition was for another sum of £300 for improving the harbour of Rocquaine, which was also granted.

The last article of the Billet referred to the nomination of three new directors for Elizabeth College, when Mr. Daniel Moullin, Mr. Frederick Price, and Mr. Hardy were chosen, to the exclusion of Mr. J. S. Brock and Mr. John Harvey, who were also proposed. We regret that the two last gentlemen were not elected in conjunction with Mr. Price, for the present state of that establishment requires the vigilant superintendence of active men of business, who have mixed largely with the world, and acquired practical experience. It has sunk in public estimation, and will continue to sink, unless a more efficient system be established. We shall take an early opportunity of examining the past and present system and the future prospects of this costly institution, in the prosperity of which we take a lively interest.

*. * TUPPER'S FAMILY RECORDS would have been noticed in this number, but the space intended for that Review has been necessarily occupied by the Remarks on the Billet d'Etat. It will, however, appear in our February number.

THE

GUERNSEY & JERSEY MAGAZINE.

FEBRUARY, 1836.

ON THE FIRST PRINCIPLES OF POLITICAL GOVERNMENT.

THE true object of political government is the greatest happiness of the greatest numbers for the longest period of time. No proposition can be more simple in theory, yet none has proved more difficult of being reduced into practice. Monarchies, aristocracies, and democracies, have all existed, as well as mixed forms of government composed of fractional amalgamations of the three leading divisions; and still, in every case, the aggregate of evil has exceeded the aggregate of good, and while happiness has been the monopoly of the few, misery has been the portion of the many. These results may be ascribed either to the total absence of first principles, or the neglect of them in cases where they have been nominally recognized. The governments of Russia, Austria, and Prussia, being irresponsible and unlimited despotisms, pay no attention whatever to first principles, the will of the chief being law. In England and France, where the representative system exists, and public opinion has a mighty influence, it is impossible for the rulers to keep first principles entirely out of view, though both the legislature and the executive of these comparatively free countries limit, within the narrowest compass, their practical operation. English and French statesmen are too fond of appealing to what they call the "doctrine of expediency," the vaguest standard of right and wrong, susceptible of any and every degree of modification that may suit the purposes of men in power, the direct effect of which is to neutralize first principles, and deprive them of all their efficacy.

By the first principles of political government we understand certain indefeasible, unerring, and universally binding conditions on human existence, which spring out of, and are based upon, religion. We become acquainted with them from two sources, to wit, the light of nature, and revelation. Man, whatever may be his position in society, is obliged to fulfil those conditions, and those conditions, as will be shown hereafter, declare God to be the supreme legislator, and man the accountable agent: they announce God as the sole landlord, and man as the responsible

tenant. Hence it follows that every human being is bound, by a prior obligation to his Creator, not only to abstain from doing any act that militates against first principles, but also to carry out the application of those first principles to every department of government. Among the Jews, this notion of theocracy was avowed; among Christians, it is implied. Man is an instrument in the hand of Providence to effect the intentions of Deity: to act in opposition to them, is essentially sin. We shall now endeavour to explain in what these first principles consist, so far as they are binding on human legislators.

Natural law is a declaration of the will of God. This will is manifested by his works, that is to say, by the relations he has caused to exist between our necessities and our faculties, between ourselves and external objects.

In order that man might understand the divine will and obey its mandates, God has endowed him with reason to distinguish between good and evil; with liberty of choice to determine his conduct under the influence of motives; and with liberty of action to execute the determinations on which he may resolve.

The possession of these intellectual faculties renders man a moral being, responsible to God for the use or abuse of the privileges he enjoys, which are not in the nature of absolute property, but in the nature of a trust, to which accountability is attached. Consequently, the morality of human actions is their conformity, or opposition, to natural law.

From the truth of all natural laws having God for their author, their character, their authority, and their sanction, are deducible. These are to be inferred from the attributes of the supreme legislator. They are *immutable*, because, God being perfect, neither succession nor change can exist in his decrees; *coherent*, because an infinite intelligence can never be involved in contradictions; *universal*, because divine justice requires that they should impose similar obligations on the whole human race. Such are the characteristics of natural laws, and it is sufficient to know that they emanate from God, to induce every reflecting man to pay them obedience.

Law confers rights; but the creation of a right necessarily involves the idea of a wrong; hence it follows, that law imposes duties. The duties imposed on man by natural law are fourfold; a duty to God, a duty to himself, a duty to his fellow creatures, and a duty to external objects.

The first relations of man, if not in the order of our ideas, at least in the order of our obligations, are those which connect him with the author of his being. It is to God that man owes his existence, and all the advantages he possesses over other animals: it is God who sustains his present life, and can, if he pleases, extend it after death to an eternity of happiness. For his Providence, man owes to his Creator love and gratitude: his omnipotence he is bound to reverence and adore. It is the conviction

we feel of the goodness, power, and wisdom of God, that creates religion, the only sure foundation of public and private felicity, the salutary influence of which has never been questioned by wise legislators, who have studied the well being of society.

The manifestation of those sentiments which arise from our ideas of Deity, constitutes worship, which is either internal or external. The former resides in the soul, and consists in the mental feeling or consciousness of the religious sentiment. The second is comprised in those outward observances of ecclesiastical discipline, which are overt acts declaratory of our faith. To limit religion to internal worship, or to confine it to external worship, would generate two extremes; truth, which is in the centre, is connected with either, and therefore, true religion requires both these descriptions of worship.

Legislation can only influence external worship, which it ought to encourage by the mild influence of persuasion, without coercing by authority. Pains or penalties are useless, for belief is an involuntary operation of the mind, and cannot be forced; they are moreover unjust, because they trample down the natural rights of man, the most precious of which is liberty of conscience.

The love of self, that primitive feeling, indestructible in its character, and inseparable from the nature of all living beings, leads man to refer all his actions to his own personal individuality. The object nearest to his heart is the sustentation of life, and the improvement of his condition. This is his ruling thought, and his actions are correspondent. This is the second obligation which the natural law imposes, from which are derived all the duties which we owe to ourselves.

These duties relate to our *physical* and *moral* existence. In reference to the former, man is bound, as much as possible, to preserve his body in a perfect state of health, which obligation renders temperance a virtue. He ought to exercise the most guarded discretion in all sensual pleasures, not however to the total abnegation of rational indulgence, for that would amount to ascetism: but he should so restrain the gratification of his passions, that they may be a pure source of happiness, and not a curse. Sensual pleasure is a treacherous friend, who caresses his companion so long as he can find the means of convivial enjoyment, but quits him when he is ruined.

In reference to our *moral* existence, it is a duty to cultivate intellectual pleasure, which consists in the research after truth. We are bound to fortify our minds against ignorance, which is the privation of ideas, and equally so against *error*, which is the opposition of ideas to the real nature of things, the consequences of which are more dangerous than those of absolute ignorance, which is, as it were, the middle term between truth and error.

Every man is united to his fellow creatures, as his fellow creatures are

united to him, by identity of origin and final destination, by an instinctive inclination, and by reciprocal wants which require reciprocal aid. All the natural duties which result from these relations of man with man, are based on the principle of "sociability," which includes all the affections which prompt him to live with his fellow creatures.

The first condition of social intercourse is the domestic state, involving those relations of family which flow out of marriage. The desires which attract the sexes take their origin in the physical order of nature, but when they are strictly limited to that source, they are general in their object, and precarious in their duration. When a preference exists, founded on moral esteem, then the sexual attachment is grounded on natural law, having for its object the continuation of the species. The passion then ceases to be purely animal, and becomes intellectual. Thus marriage becomes a positive contract, imposing reciprocal obligations on the husband and wife, and a joint duty to maintain their offspring.

It has been disputed whether strict equality should exist between the sexes, or whether the wife should obey the husband. Such questions, however, are only suited to the unprofitable ingenuity of sophists. In species, they are the same: in sex, different. Had they resembled each other more, they would have had less inclination for marriage: nature made them different to ensure their union.

Natural law compels the parents to take care of their children, and not simply to feed, clothe, and house them, which duties are limited to their physical preservation, but also to instruct them in sound religious principles, both by precept and example, which relates to their moral character. Children owe to their parents love and gratitude, and it becomes their sacred duty to maintain them in old age, to nurse them in sickness, and shield them in adversity.

Such are the rights and duties which obtain among the members of the same family. We are now to consider the natural rights and duties of associated families towards each other, which are the bases of political government.

All the duties which man, without reference to his family obligations, is bound to perform towards his fellow creatures, consist in respecting the rights which they hold from one and the same Creator. That we may know and understand the character of those rights, the natural law incessantly reminds us that God is our supreme legislator, and that we are entirely in his hand. It tells us that He has rights over us which precede any right that we may have over our fellow creatures, or over any of the external objects of animate or inanimate nature. Correspondent with those rights of the Creator over the creature are the duties which the creature owes to the Creator, and out of these duties are evolved the *perfect* rights which are thus vested in every man, and which every other man is bound to respect and guarantee.

These *perfect* rights are expressed by the words property, liberty, equality, and security, each of which terms, well understood, contains all the others. Man holds from God a property in his own person, that is to say, in all his physical and intellectual qualities. From this it is deducible that man has a right to procure all things needful to support his existence, and render life agreeable, and further, to have such an ample and secure possession of them, as to enjoy them without restraint, and dispose of them according to his inclination. In all this consists the right of property.

To have the full benefit of this right, the free and unfettered exercise of his faculties is indispensable to man, and this constitutes the right of liberty. But liberty is common to all, and to prevent its being the exclusive privilege of a few by usurpation, no man ought to be allowed with impunity to attack or abridge the liberty of his neighbour. This implies a limitation in its exercise, but only to the extent of not allowing one man to take away the share of another, and in this sense it is not a restriction of natural law, but a guarantee for its due observance, and it thus establishes *equality*. Equality, in its true and unperverted signification, is the right of every man to be protected against all such acts of any other man, the doing of which acts is not permitted, under similar circumstances, to all men; for the rights of any given individual are the same as the rights of every other individual, and therefore of all individuals; consequently, no given individual can be disturbed in the exercise of his own rights.

Since, then, natural law confers on man the rights of property, liberty, and equality, it also gives, by implication, a sufficient guarantee for their full and free enjoyment, which constitutes the right of security. Man, therefore, is allowed to repel all unlawful attacks which threaten to disturb those rights which he claims from natural law.

This view of the subject leads to the important conclusion, that all the natural rights of man flow out of his duties to God, for if man were deprived of those rights by any human law, he would also be deprived of the means of accomplishing the object for which he was created. He was born to live a certain number of years, and continue his species; consequently, he has a perfect indefeasible right to the means of subsistence, or, in other terms, to property. He is endowed with reason to guide his conduct; therefore, he has a perfect indefeasible right to cultivate his understanding, and express his thoughts without restraint, in which is involved the idea of liberty. He could not do these acts if a privileged class were to prescribe to the many what food they should eat, what dwellings they should inhabit, what apparel they should wear, or within what limit they should cultivate their understanding; consequently, man has a perfect indefeasible right to equality. But it is not sufficient that these rights should be merely acknowledged as a simple theory: they must be practically enforced, and protected against the

slightest infraction ; therefore, man has a perfect indefeasible right to security.

In the intercourse of social life there is another order of rights, secondary and subservient to the four preceding, and they are usually called *imperfect* rights, because they are ancillary to the former, and not so rigorously exactable, yet they are such as all good men will respect.

Never do to another person what you would not wish him to do to you. Constantly do unto others all the good that you desire to receive from them.

These two maxims, the foundations of all practical wisdom, the source of every social virtue, and the concentrated essence and spirit of Christianity, though undoubtedly well known, but rarely acted upon, comprise all the duties co-relative to perfect and imperfect rights. The first is the basis of morals : the second is the complement of morals. From the one all perfect duties are deduced ; from the other, more particularly, all imperfect duties flow. Both are comprehended in that sublime maxim of our holy religion—love your neighbour as yourself.

Moral honesty, which consists in rendering to every person the full extent of what is due to him, is the virtue commanded by the first maxim. To abstain from injuring our neighbour in his person, property, liberty, or honour ; religiously to keep good faith, and never to break our word once pledged ; to redress any injury we may have done either purposeely or through inadvertence : such is the character of the duties imposed by moral honesty.

Charity, in the scriptural sense, is an habitual disposition, to do all the good we can to our fellow creatures, manifested by acts of benevolence, and it includes all those less rigorously exactable duties which are expressed by the second maxim. To assist the poor, to give sound advice, to quiet disputes, to banish hatred and malice, and promote peace and concord ; to defend persecuted innocence, to pardon injuries, and extenuate, rather than magnify, the faults or failings of our neighbours : such are the characteristics of true benevolence.

To these *imperfect* duties may be added social politeness, which is an ingredient of the maxim of loving your neighbour as yourself, for the criterion of a real gentleman is the careful avoidance of every act or word which may hurt the feelings of another person.

It is clear that moral honesty, benevolence, and politeness, are optional duties, being rather recommended, than rendered obligatory, by natural law ; but they are so conducive to the well being of society, that the necessity of their punctual observance ought to form one of the primary elements of national education.

The relations of man extend beyond those which exist between himself and his fellow creatures, and attach him to all external objects. He has need of every thing by which he is surrounded : he is a common centre to which all things converge. Of all animated beings man is the only one

capable of subduing to his use, and adapting to his comforts, the varied productions of the three kingdoms of nature, an exclusive faculty which points him out under Providence as the rightful lord of creation. But the rights thus conferred impose corresponding duties, for the due performance of which man is responsible to his Creator.

The earth, and all that it contains, may be considered as raw material, out of which man is enabled to manufacture such articles as may conduce to his happiness. In relation, therefore, to external objects, one of the first duties is industry, which accords with the divine command, that man must eat his bread by the sweat of his brow. Therefore, idleness is sinful. But our duty is not limited to bare industry : we are bound to use the produce of industry with prudence and moderation ; hence, economy is a virtue, and wastefulness a vice. Such is the nature of our duties in relation to inanimate objects, for the intelligence which man possesses was conferred to maintain, and not to subvert, the natural order of things. With regard to animate objects, including the lower class of animals, our obligations are equally sacred. Some conduce to our subsistence ; others assist us in our labours. To treat them with cruelty is both cowardly and sinful. It argues the basest ingratitude not to reciprocate affection : the fidelity of a dog, or the usefulness of a horse, entitle them to our care. Such feelings are a part of Christian charity and benevolence. Bull-baiting and cock-fighting are direct violations of natural law, and flagrant offences against the Deity, who, in giving man dominion over these animals, never intended that they should furnish sport for the ferocity of a ruffian, or be subservient to the avarice of a gamester. In truth, the habitual exercise of benevolence is so important to society, that every act should be avoided which tends to weaken its influence, and, with this object in view, the teachers of youth should impress on the minds of their pupils the imperative necessity of treating all domestic animals with kindness, and the legislature should affix severe punishment to every act of wilful or unnecessary cruelty.

Such, then, is a succinct summary of the rights and duties of man, as deducible from natural law. According to this system, God is the supreme legislator, and man the accountable trustee. This is the true standard by which the founders and administrators of political government should regulate their measures. Natural law is the basis on which the superstructure of human legislation should be raised. Deviate from these principles, and the will of the creature comes into collision with the will of the Creator. This vain and impious folly has caused the downfall of the most powerful states, and spread misery among mankind.

We shall return to this subject in our next number, and explain the true nature and object of political government, and the process of arriving at what is termed a "constitution."

THE EDITOR'S PRAYER TO APOLLO.

If e'er in thy sight I found favour, Apollo,
 Defend me from all the disasters which follow.
 From the knaves, and the fools, and the fops of the time,
 From the drudges in prose, and the triflers in rhyme :
 From servile attendance on men in high places,
 Their worships, and honours, and lordships, and graces ;
 From long dedications to patrons unworthy,
 Who hear and receive, but will do nothing for thee ;
 From being caressed, to be left in the lurch,
 The tool of a party, in state or in church ;
 From dull thinking blockheads, as sober as Turks,
 And petulant bards, who regret their own works ;
 From all the gay things of a drawing-room show,
 The frowns of a belle, or the scents of a beau ;
 From busy back-biters, and tattlers and carpers,
 And scurvy acquaintance with fiddlers and sharpers ;
 From old politicians, and coffee-house lectures,
 The dreams of distillers, and schemes of projectors ;
 From the fears of a jail, and the hopes of a pension,
 The tricks of a gamester, and oaths of an ensign ;
 From shallow free-thinkers, in taverns disputing,
 Nor ever confuted, nor ever confuting ;
 From the constant good fare of another man's board,
 My lady's broad hints, and the jests of my lord ;
 From very fine ladies with very fine incomes,
 Which they finely lay out on fine toys and fine trincums ;
 From the pranks of a ball room, and gay masquerades,
 The snares of young jilts and the spite of old maids ;
 From all pious patriots, who would to their best
 Put on a new tax to take off an old test ;
 From the faith of informers, the fangs of the law,
 And the great rogues who keep all the smaller in awe ;
 From scribbling for hire, when my credit is sunk,
 To buy a new coat, or to line an old trunk ;
 From squires, who belch out dull jokes at their table,
 Of dogs in their kennels, and nags in their stable ;
 From the cant of fanatics, the jargon of schools,
 The censures of wise men, the praises of fools ;
 From critics, who never read Latin and Greek,
 And pedants, who boast they read both every week ;
 From conger, from Ampurdam Port, and Cette brandy,
 From bad cards at whist, and blanks in the lottery ;
 From "sergent ajournez," and each lawyer's snare,
 And, horror of horrors, the cour ordinaire ;
 From gout, bile, the colic, and fits of the spleen,
 And a dearth of subscribers to this Magazine.
 If ever thou didst, or will ever befriend me,
 From these, and such evils, Apollo, defend me.

ON THE PROPAGATION OF ANIMALS AND CARE OF THEIR OFFSPRING.

THE natural history of animals with respect to pairing, and care of their offspring, eminently displays the wisdom and benevolence of Providence, and since it is the most agreeable and rational exercise of the human mind "to look through nature up to nature's God," we embrace the present opportunity, however slight, to offer a few remarks on a subject to which we shall frequently return. Buffon, in many large volumes, bestows scarce a thought on this interesting department of knowledge; and the neglect of our own countrymen, Ray and Derham, is still less excusable, considering that to display the conduct of Providence was their professed purpose in writing on natural history. Lord Kaimes, in his *Sketches of the History of Man*, has thrown much light on the question, and the *Entomology of Kirby and Spence* is rich in valuable materials to illustrate the habits of insects. We shall endeavour to collect from these authorities whatever is useful and instructive, and condense the fruits of their researches in a small compass.

The instinct of pairing is bestowed on every species of animals to which it is necessary for rearing their young, and on no other species. All wild birds pair, but with a remarkable difference between those which build their nests on trees, and those which place them on the ground. The young of the former being hatched blind, and without feathers, require the nursing care of both parents till they be able to fly. The male feeds his mate on the nest, and cheers her with a song. As soon as the young are hatched, singing yields to a more necessary occupation, that of providing food for a numerous issue, a task that requires both parents.

Eagles and other birds of prey build on trees, and on other inaccessible spots. They not only pair, but continue in pairs all the year round; and the same pair procreate year after year. This at least is the case of eagles; the male and female hunt together, unless during incubation, during which time the female is fed by the male. A greater number than a single pair are never seen in company.

Gregarious birds pair, in order probably to prevent discord in a society confined to a narrow space. This is the case particularly with pigeons and rooks. The male and female sit on the eggs alternately, and divide the care of feeding their young.

Partridges, plovers, pheasants, peafowl, grouse, and other kinds which place their nests on the ground, have the instinct of pairing, but differ from such as build on trees in the following particular; that, after the female is impregnated, she completes her task without needing any help from the male. Retiring from him, she chooses a safe spot for her nest, where she can find plenty of worms and grass-seed at hand; and her young, as soon as hatched, take foot, and seek food for themselves. The only remaining

duty incumbent on the dam is, to lead them to proper places for food, and call them together when danger impends. Some males, provoked at the desertion of their mates, break the eggs if they stumble on them. Eider ducks pair like other birds that place their nests on the ground; and the female finishes her nest with down plucked from her own breast. If the nest be destroyed for the down, which is remarkably warm and elastic, she makes another nest as before. If she be robbed a second time, she makes a third nest, but the male furnishes the down. From the habits of this bird many women of fashion might draw a moral lesson, who are more disposed to pluck their husbands than themselves, and many a prodigal husband, having an amiable wife, might learn the duty of not trespassing too far on her affections.

The black game never pair: in spring, the cock, on an eminence, crows, and claps his wings, and all the females within hearing instantly resort to him. He is the sultan of the feathered tribe.

Pairing birds, excepting those of prey, flock together in February, in order to choose their mates. They soon disperse, and are not seen afterwards but in pairs.

Pairing is unknown to quadrupeds which feed on grass. To such it would be useless, as the female gives suck to her young while she is feeding. If Buffon deserves credit, the roe-deer are an exception: they pair though they feed on grass, and have but one litter in a year.

Beasts of prey, such as lions, tigers, wolves, never pair. The female is left to shift for herself and her young, which is a laborious task, and often so unsuccessful as to shorten the life of many of them. Pairing is essential to birds of prey, because incubation leaves the female no sufficient time to hunt for food. Pairing is not necessary to beasts of prey, because their young can bear a long fast. Add another reason, that they would multiply so fast by pairing as to prove troublesome neighbours to the human race.

Among animals that pair not, males fight desperately about a female. Such a battle among horned cattle is finely described by Lucretius. Nor is it unusual for seven or eight lions to wage bloody war for a single female.

The same reason that makes pairing necessary for gregarious birds, obtains with respect to gregarious quadrupeds; those especially who store up food for winter, and during that season live in common. Discord among such would be attended with worse consequences than even among lions and bulls, who are not confined to one place. Beavers, with respect to pairing, resemble birds that place their nests on the ground. As soon as the young are produced, the males abandon their stock of food to their mates, and live at large, but return frequently to visit them while they are suckling their young.

Hedge hogs pair as well as several of the monkey kind. We are not well acquainted with the history of these animals, but it would appear that the young require the nursing care of both parents.

Seals have a singular economy. Polygamy seems to be a law of nature among them, as a male associates with several females. The sea-turtle has no occasion to pair, as the female concludes her task by laying her eggs in the sand. The young are hatched by the sun, and immediately crawl to the sea.

In every other branch of animal economy, concerning the continuance of the species, the hand of Providence is equally conspicuous. The young of pairing birds are produced in the spring, when the weather begins to be genial, and their early production makes them firm and vigorous before winter to endure the hardships of this rigorous season. Such early production is particularly favourable to eagles, and other birds of prey, for in the spring they have plenty of food, by the return of birds of passage, which they constantly attack.

Though the time of gestation varies considerably in the different quadrupeds that feed on grass, yet the female is regularly delivered early in summer, when grass is plentiful. The mare admits the stallion in summer, carries eleven months, and is delivered the beginning of May. The cow differs little. A sheep, and a goat, takes the male in November, carries five months, and produces when grass begins to spring. These animals love short grass, upon which a mare or cow would starve. All farmers should be aware that ewes pasturing in a hilly country pitch early on some snug spot, where they may drop their young with safety, and hence the risk of removing a flock to a new field, immediately before delivery, as many lambs are apt to perish by being dropped in improper places. The rutting season of the red deer is the end of September and beginning of October ; it continues for three weeks, during which the male runs from female to female without intermission. The female brings forth in May, or beginning of June ; and the female of the fallow deer brings forth at the same time. The she-ass is in season at the beginning of summer, but she bears twelve months, which fixes her delivery in summer. Wolves and foxes copulate in December : the female carries five months, and brings forth in April, when animal food is as abundant as at any other season, and the lioness brings forth about the same time. Of this early birth there is one evident advantage hinted above ; the young have time to grow so firm as easily to bear the inclemencies of winter.

Were one to guess what would probably be the time of rutting, summer would be named, especially in a cold climate ; and yet to quadrupeds, who carry but four or five months, that economy would be pernicious, throwing the time of delivery to an improper season for warmth as well as for food. Wisely is it ordered, that the delivery should constantly be at the best season for both.

Gregarious quadrupeds, that store up food for winter, differ from all other quadrupeds with respect to the time of delivery. Beavers copulate at the end of autumn, and bring forth in January, when their granary is full.

The same economy probably obtains among all other quadrupeds of the same kind.

One rule takes place among all brute animals, without a single exception, that the female is never burthened with two litters at the same time. The period of gestation is so unerringly calculated by nature, that the young brood upon hand can provide for themselves before another brood comes on. Even a hare is not an exception, though many litters are produced in a year; the female carries thirty or thirty-one days, but she suckles her young only twenty days, after which they provide for themselves, and leave her free to a new litter.

The care of animals to preserve their young from harm is a beautiful instance of Providence. When a hind hears the hounds, she puts herself in the way of being hunted, and leads the dogs away from her fawn. The lapwing is no less ingenious. If a person approach, she flies about, always retiring from her nest. A partridge is extremely artful; she hops away, hanging her wing as if broken; lingers till the person approach, and hops again. A hen, timid by nature, is bold as a lion in defence of her chicks; she darts upon every creature that threatens danger. The roe-buck defends its young with courage and resolution. So does a ram, and so do many other quadrupeds.

The foregoing particulars are hints merely on this interesting subject, but it is to be hoped that they will excite curiosity among those who relish natural history. The field is rich, though little cultivated; but we know no other branch of this department in science which opens finer views into the government of Providence. We every where observe a just adaptation of the means to the end: the most felicitous combination of wisdom, power, and goodness, rivets our attention and commands our reverence; and we descry, in the whole economy of the animal kingdom, the protecting hand of that all-merciful Being "who tempers the wind to the shorn lamb."

THE SIEGE OF SYRACUSE AND DEFENCE BY ARCHIMEDES.

THE defence of Syracuse by Archimedes is one of the most remarkable events in history. Were the statements of that memorable siege not authenticated by the testimony of the most veracious authors, they might be viewed as a romance or a tale of fiction. Indeed, Kepler, Naudeus and Descartes, have recorded their disbelief of the Roman fleet having been destroyed by the burning glasses of Archimedes, but the fact has been attested by Diodorus Siculus, Lucian, Dion, Zonaras, Galen, Anthemius, Eustathius, and Tzetzes. We propose in this article to give a detailed account of the siege, as narrated by Polybius, and the opinions of the authorities named on the subject of the burning glasses.

The consul Appius, having taken upon himself the command of the land forces, and stationed the army round the Scythian Portico, from whence the wall was continued along the shore even to the mole of the harbour, resolved to make his approaches on that side. As the number of his artificers was very great, he prepared, in five days only, a sufficient quantity of blinds and darts, with every thing else that was proper for the siege: and was persuaded that, by this celerity, he should be able to attack the enemy before they had made the necessary preparations for their defence. He had not, at this time, made due reflections on the great skill of Archimedes, nor considered that the mind of a single man is, on some occasions, far superior to the force of many hands. But this truth was soon discovered to him by the event. For, as Syracuse was in itself a place of very great strength, the wall that surrounded it being built upon lofty hills, whose tops, hanging over the plain, rendered all approach from without, except in certain parts, extremely difficult; so within the city likewise, and against all attempts that might be made on the side of the sea, so great a quantity of instruments of defence had been contrived by the person just mentioned, that the besieged were at no time idle, but were ready, upon every new attack, to meet the motions and repel the efforts of the enemy. Appius, however, advancing with his blinds and ladders, endeavoured to approach that part of the wall which was joined to the Hexapylum, on the eastern side of the city. At the same time, Marcellus directed his course towards Achradina, with a fleet of sixteen quinqueremes, all filled with soldiers, who were armed with bows, slings and javelins, in order to drive the enemy from the walls. There were also eight other quinqueremes, from one side of which the benches of the rowers had been removed, from the right side of some, and from the left of others. These vessels being joined two and two together, on the sides from which the benches had been taken, were rowed by the oars on the opposite side, and carried to the walls certain machines called "sackbuts," the construction and use of which may be thus described.

A ladder is made, which has four feet in breadth, and such a length as may make it equal, when raised, to the height of the walls. On either side of it is a high breastwork, in the form of a balustrade. This ladder is laid at length upon the sides in which the two vessels are joined, but extending far beyond the prows; and at the top of the masts of the vessels are fixed pullies and ropes. At the proper time the ropes are fastened to the top of the machine, and while some, standing on the stern of the vessels, draw the ladder upwards by the pullies, others on the prow, at the same time, assist in raising it with bars and levers. The vessels being then rowed near to the shore, endeavours are used to fix the machine against the walls. At the top of the ladder is a little stage, guarded on three sides with blinds, and containing four men upon it, who

engage with those upon the walls, who endeavour to obstruct the fixing of the machines. And when it is fixed, these men, being now raised above the top of the wall, throw down the blinds on either side, and advance to attack the battlements and towers. The rest at the same time ascend the ladders, without any fear that it should fall, because it is strongly fastened with ropes to the two vessels. The name of sackbut is bestowed, not improperly, on this machine; for, when it is raised, the appearance of the ladder and vessels, thus joined together, very much resembles the figure of that instrument.

In this manner, then, when all things now were ready, the Romans designed to attack the towers. But Archimedes had prepared machines that were fitted to every distance. And, while the vessels were yet far removed from the walls, employing catapults and balistæ, that were of the largest size, and worked by the strongest springs, he wounded the enemy with his darts and stones, and threw them into great disorder. When the darts passed beyond them, he then used other machines of a smaller size, and still proportioned to the distance. By these means the Romans were so effectually repulsed, that it was not possible for them to approach. Marcellus, therefore, perplexed with this resistance, was forced to advance silently with his vessels in the night. But, when they came so near to the land as to be within the reach of darts, they were exposed to new danger from another invention which Archimedes had contrived. He had caused openings to be made in many parts of the wall, equal in height to the stature of a man, and to the palm of a hand in breadth. And, having planted on the inside archers and little scorpions, he discharged a multitude of arrows through the openings, and disabled the soldiers that were on board. In this manner, whether the Romans were at a great distance, or whether they were near, he not only rendered useless all their efforts, but destroyed numbers of their men. When they attempted to raise the sackbuts, certain machines, which he had raised along the whole wall on the inside, and which were before concealed from view, suddenly appeared above the walls, and stretched their long beaks far beyond the battlements. Some of these machines carried masses of lead, and stones not less than ten talents in weight, and when the vessels with the sackbuts came near, the beaks, being first turned by ropes and pulleys to the proper point, let fall their stones, which broke not only the sackbuts, but the vessels likewise, and threw all those who were on board into the greatest danger. In the same manner also the rest of the machines, as often as the enemy approached under cover of the blinds, and had secured themselves by that precaution against the darts that were discharged through the openings of the wall, let fall upon them stones of so large a size, that all the combatants on the prow were forced to retire from their station.

Archimedes likewise invented a hand of iron, hanging by a chain from

the beak of a machine, which was used in the following manner. The person, who like a pilot guided the beak, having let fall the hand, and caught hold of the prow of any vessel, drew down the opposite end of the machine that was on the inside of the walls. When the vessel was thus raised erect upon its stern, the machine itself was held immoveable, but, the chain being suddenly loosened from the beak by the agency of the pulleys, some of the vessels were thrown upon their sides, others turned with the bottom upwards, and the greatest part, as the prows were plunged from a considerable height into the sea, were filled with water, and all on board thrown into tumult and disorder.

Marcellus was in no small degree embarrassed, when he found himself encountered in every attempt by such resistance. He perceived that all his efforts were defeated with loss, and were even derided by the enemy. But, amidst all the anxiety that he suffered, he could not help jesting on the inventions of Archimedes. This man, said he, employs our ships as buckets to draw water; and, boxing about our sackbuts as if they were unworthy of being associated with him, he drives them from his company with disgrace. Such was the success of the siege on the side of the sea.

Appius also on his part, having met with the same obstacles in his approaches, was in like manner forced to abandon his design. For, while he was yet at a considerable distance, great numbers of his army were destroyed by the balistæ and catapults. So wonderful was the quantity of stones and darts, and so astonishing the force with which they were thrown! The machines indeed were worthy of Hiero, who had furnished the expenses, and of Archimedes, who designed them, and under whose direction they were made. If the troops advanced nearer to the city, they were either stopped in their approach by the arrows that were discharged through the openings in the walls, or, if they attempted to force their way under cover of their bucklers, they were destroyed by stones and beams that were let fall upon their heads. Great mischief also was occasioned by those hands of iron that have been mentioned, which lifted men with their armour into the air, and dashed them against the ground. Appius, therefore, was at last constrained to return to his camp. And when he had held a consultation with the tribunes, it was with one consent determined by them, that every other method should be tried to obtain possession of Syracuse, but that they would no more attempt to take it by assault. Nor did they afterwards depart from this resolution. For, though they remained eight months before the city, and during that time invented various stratagems, and carried into execution many bold designs, they never had the courage to attack the place in the regular forms. So wonderful and of such importance, upon some occasions, is the power of a single man, and the force of science properly employed. With so great armies by land and sea the Romans could scarcely have failed to take the city, if one old man had been removed. But while he

was present they dared not even to make the attempt, in the manner at least which Archimedes was able to oppose. They therefore determined to ravage the surrounding country, and intercept all supplies from sea, and thus, after a protracted struggle, starved the Syracusans into surrender. To the great grief of Marcellus, Archimedes was killed in his study by a soldier who did not know the person of the philosopher.

Such is the account of this famous siege as narrated by Polybius, and we shall now examine into the subject of the burning glasses, with which Archimedes fired the Roman fleet, referring such of our readers who may desire to make further inquiries to an excellent work by the rev. Mr. Dutens, on the "*Origin of the Discoveries attributed to the Moderns*," which contains much instructive matter on antiquities in general.

Tzetzes says that "Archimedes set fire to Marcellus' navy by means of a burning glass composed of small square mirrors, moving every way upon hinges; which, when placed in the sun's rays, directed them upon the Roman fleet, so as to reduce it to ashes, at the distance of a bow shot." We have before remarked that Kepler, Naudeus, and Descartes, have pronounced the whole a fiction. Father Kirker, a learned Jesuit, attentively observing the description which Tzetzes has recorded, resolved to prove the possibility of the experiment, and having, by means of a number of plain mirrors, collected the sun's rays into one focus, he so augmented the solar heat, that, at last, by increasing the number of mirrors, he could produce the most intense degree of it. It is probable that Buffon availed himself of this description in constructing his burning glass, composed of one hundred and eight little plain mirrors, which produced so considerable a heat as to set wood in flames at the distance of two hundred and nine feet; melt lead at that of one hundred and twenty, and silver at that of fifty.

Another testimony occurs, which leaves not the least doubt in this case, but resolves all in favour of Archimedes. Anthemius, of Tralles in Lydia, a celebrated architect, able sculptor, and learned mathematician, who, in the emperor Justinian's time, built the church of Sancta Sophia, at Constantinople, wrote a small treatise in Greek, which is entitled, "*Mechanical Paradoxes*." That work has a chapter respecting burning glasses, where we meet with the most complete description of the requisites that Archimedes, according to this author, must needs have been possessed of, to enable him to set fire to the Roman fleet. He begins with this inquiry: "How, in any given place, at a bow shot's distance, a conflagration may be raised by means of the sun's rays?" And immediately he lays it down as a first principle, "that the situation of the place must be such, that the rays of the sun may be reflected upon it in an oblique, or even opposite direction, to that in which they come from the sun itself." And he adds, "that the assigned distance being so very considerable, it might appear at first impossible to effect this by means of the reflection of

the sun's rays ; but as the glory Archimedes had gained by thus setting fire to the Roman vessels was a fact universally admitted, he thought it reasonable to grant the possibility of it, upon the principle he had laid down." He afterwards advances further in this inquiry, establishing certain necessary propositions in order to come at a solution of it. "To find out, therefore, in what position a plain mirror should be placed to carry the sun's rays by reflection to a given point, he demonstrates that the angle of incidence is equal to the angle of reflection ; and having shown that in so just a position of the glass the sun's rays might be reflected to the given place, he observes, that by means of a number of glasses reflecting the rays into the same focus, there must arise at the given place the conflagration required, for inflammatory heat is the result of thus concentrating the sun's rays, and that, when a body is thus set on fire, it kindles the air around it, so that it comes to be acted upon by the two forces at once, that of the sun, and that of the circumambient air, reciprocally augmenting and increasing the heat ; whence it necessarily results, that by a proper number of plain mirrors duly disposed, the sun's rays might be reflected in such quantities into a common focus, at a bow shot distance, as to set all in flames around it."

As to the manner of putting this into practice, Anthemius says, "it might be done by employing many hands to hold the mirrors in the described position ; but to avoid the confusion that might thence arise, twenty-four mirrors at least being requisite to communicate flame at such a distance, he fixes upon another method, that of a plain hexagon mirror, accommodated on every side by lesser ones, adhering to it by means of plates, bands, and hinges, connecting them mutually together, so as to be moved or fixed at pleasure in any direction. Thus, having adapted the large or middle mirror to the rays of the sun, so as to point them to the given place, it will be easy in the same manner to dispose the rest, so that all the rays together may meet in the same focus ; and by multiplying compound mirrors of the same kind, and giving them all the same direction, there must thence infallibly result, to whatever degree of intenseness, the conflagration required at the place given. The better to succeed in this enterprize, there should be in readiness a considerable number of those compound mirrors, to act all at once, from four at least to seven." He concludes his dissertation with observing, "that all the authors who mention the burning machine of the divine Archimedes, never speak of it as of one compound mirror, but as a combination of many."

So copious and accurate a description is more than sufficient to demonstrate the possibility of a fact so well attested in history, and by such a number of authors, that it would be the highest degree of arrogance and conceit to refuse our suffrage to such invincible testimony. Vitellion, who lived about the thirteenth century, speaks of a work of Anthemius of

Tralles, "who had composed a burning glass, consisting of twenty-four mirrors, which, conveying the rays of the sun into a common focus, produced an extraordinary degree of heat." Lucian, speaking of Archimedes, says, "that at the siege of Syracuse he reduced, by a single contrivance, the Roman ships to ashes." And Galen observes, that "with burning glasses he fired the ships of the enemies of Syracuse." Zonaras also speaks of Archimedes' glasses, in mentioning those of Proclus, "who burnt the fleet of Vitellius, at Constantinople, in imitation of Archimedes, who set fire to the Roman fleet at the siege of Syracuse." He intimates that the manner wherein Proclus effected this, was by launching on the enemies' vessels, from the surface of reflecting mirrors, such a quantity of flame as reduced them to ashes.

Eustathius, in his Commentary upon the Illiad, says, that "Archimedes, by a catoptric machine, burnt the Roman fleet at a bow shot's distance." Indeed there is scarce any fact in history warranted by more authentic evidence, so that it would be difficult not to admit the truth of it, even though we could not comprehend how it were possible for Archimedes to have constructed such glasses; but now that the experiments of Kirker and Buffon have made it apparent that nothing is more easy in the execution, what ought we not to think of the genius of that man whose inventions have surpassed the conceptions of such able mathematicians as Kepler and Descartes!

Again, it appears that the ancients were acquainted with refracting burning glasses, for we find in Aristophanes's comedy of the Clouds, a passage which clearly treats of the effects of those glasses. The author introduces Socrates as examining Strepsiades about the method he had discovered for getting clear for ever of his debts. He replies, that "he thought of making use of a burning glass, which he had hitherto used in kindling his fire; for," says he, "should they bring a writ against me, I'll immediately place my glass in the sun, at some little distance from the writ, and set it on fire." Where we see he speaks of a glass which burned at a distance, and which could be no other than a convex glass. Pliny and Lactantius have also spoken of glasses that burnt by refraction. The former calls them balls or globes of glass, or chrystal, which, exposed to the sun, transmit a heat sufficient to set fire to cloth, or corrode away the dead flesh of those patients who stand in need of caustics; and the latter, after Clemens Alexandrinus, takes notice that fire may be kindled by interposing glasses filled with water between the sun and the object, so as to transmit the rays to it.

We duly appreciate the mighty effects of modern machinery, but the inventive genius of Archimedes has never been surpassed. Leibnitz, who was one of the greatest mathematicians of his age, did justice to the philosopher of Syracuse, when he said, "That if we were better acquainted with the admirable productions of that great man, we would throw

away much less of our applause on the discoveries of eminent moderns." Wallis also, in speaking of Archimedes, calls him a man of admirable sagacity, who laid the foundation of almost all those inventions, which our age glories in having brought to perfection. In reality, what a glorious light has he diffused over the mathematics in his attempt to square the circle and in discovering "the square of the parabola, the properties of spiral lines, the proportion of the sphere to the cylinder, and the true principles of statics and hydrostatics." What a proof of sagacity did he give in discovering the quantity of silver that was mixed with the gold in the crown of king Hiero, whilst he reasoned on the principle "that all bodies immersed in water lose just so much of their weight as a quantity of water equal to them in bulk weighs." Hence he drew this consequence, that, gold being more compact, must lose less of its weight, and silver more ; and that a mingled mass of both must lose in proportion to the quantities mingled. Weighing therefore the crown in water and in air, and two masses, the one of gold, the other of silver, equal in weight to the crown ; he thence determined what each lost of their weight, and so resolved the problem. He also invented a perpetual screw, valuable on account of its being able to overcome any resistance ; and the screw that still goes by his own name, used in elevating water. He once said to his patron, friend, and admirer, king Hiero, "Give me but some other place to stand upon, and I will set the earth itself in motion ;" and when the king, amazed at what he uttered, seemed to hesitate an answer, he gave him a striking proof of the probability of what he said, by launching singly by himself a ship of a prodigious size. He built likewise, for this king, an immense galley, of twenty banks of oars, containing spacious apartments, garden, walks, ponds, and all other conveniences suitable to the dignity of a great monarch. He constructed also a sphere, representing the motion of the stars, which Cicero esteemed one of the inventions that did the highest honour to human genius. He perfected the manner of augmenting the mechanic powers, by the multiplication of wheels and pullies ; and, in short, carried mechanics so far, that the works he produced of this kind even surpass imagination.

But the defence of Syracuse would alone immortalize the name of Archimedes. He was in himself truly a host. Sometimes he hurled on the land forces of the enemy stones of such an enormous size, as crushed whole bodies of them at once, and put the whole army into confusion. When they retreated from the walls, he still found means to annoy them, for, with catapults and balistæ, he overwhelmed them with arrows innumerable, and beams of a prodigious weight. If their vessels approached the fort, he seized them by the prows with grapples of iron, which he let down upon them from the wall, and swinging them up in the air, to the stupor of all beholders, shook them with such violence, as either to break them in pieces, or sink them to the bottom. And when the Romans

thought of sheltering themselves from his pursuit, by keeping at a distance from the haven, he borrowed fire from heaven, and, aided by his own ingenuity, wrapt them in sudden and inevitable conflagration.

ON THE SIGNS OF THE WEATHER.

WHEN bats remain longer than usual abroad from their holes, fly about in great numbers, and to a greater distance than usual, it announces that the following day will be warm and serene ; but if they enter houses, and send forth loud and repeated cries, it indicates bad weather. If the owl is heard to scream during bad weather, it announces that it will become fine. The croaking of crows in the morning indicates fine weather. When the raven croaks three or four times, extending his wings, and shaking the leaves, it is a sign of serene weather. It is an indication of rain and stormy weather when ducks and geese fly backwards and forwards, when they plunge frequently into the water, and begin to send forth cries and flutter about. If bees do not remove to a great distance from their hives, it announces rain ; if they return to their hives before the usual time, it may be concluded that it will soon fall. If pigeons return slowly to the pigeon house, it indicates that the succeeding days will be rainy. It is a sign of rain or wind when sparrows chirp a great deal, and make a noise to each other to assemble. When fowls and chickens roll in the sand, more than usual, it announces rain : the same is the case when cocks crow in the evening, or at uncommon hours. Peacocks, which cry during the night, have a presentiment of rain. It is believed to be a sign of bad weather when swallows fly in such a manner as to brush the surface of the water, and to touch it frequently with their breasts and wings. The weather is about to become cloudy and change for the worse, when flies sting and become more annoying than usual. When gnats collect themselves before the setting of the sun, and form a sort of vortex in the shape of a column, it announces fine weather. When sea fowl and other aquatic birds retire to the sea-shore or to marshes, it indicates a change of weather and a sudden storm. If cranes fly exceedingly high, in silence, and ranged in order, it is a sign of approaching fine weather ; but if they fly in disorder, or immediately return with cries, it announces wind. When dolphins sport and make frequent leaps, the sea being tranquil and calm, it denotes that the wind will blow from the quarter whence they proceed. If frogs croak more than usual ; if toads issue from their holes in the evening in great numbers ; if the earth-worms come forth from the earth, and small scorpions appear on the walls ; if ants remove their eggs from the small hills ; if moles throw up the ground more than usual ; if asses frequently shake and agitate their ears ; if hogs shake and spoil the

ears of corn ; if bats send forth their cries and fly into the houses ; if dogs roll on the ground and scratch up the earth with their fore feet ; if cows look towards the heavens, and turn up their nostrils, as if catching some smell ; if oxen and dogs lie on their right side ; all these signs announce rain. The case is the same when animals crowd together. If the flame of a lamp crackles or flares, it indicates rainy weather. The same is the case when the soot detaches itself from the chimney and falls down. It is also a sign of rain when the soot, collected round kettles and pans, takes fire in the form of small points, like grains of millet ; because this phenomenon denotes that the air is cold and moist. If the coals seem hotter than usual, or if the flame is more agitated, though the weather be calm at the time, it indicates wind. When the flame burns steady and proceeds straight upwards, it is a sign of fine weather. If the sound of bells is heard at a great distance, it is a sign either of wind or of a change in the weather. When spiders' webs and leaves of trees are agitated without any sensible wind, it is a sign of wind or rain ; because it denotes that strong and penetrating exhalations arise from the earth. A want, or too great a quantity, of dew, being a mark of a strong evaporation, announces rain : the same is the case with thick white hoar frost, which is only dew congealed. If salt, marble, and glass, become moist some days before rain ; if articles of wood, doors, and chests of drawers, swell ; if corns on the feet, and scars of old wounds become painful ; all these signs indicate that aqueous vapours are exhaled from the earth, which are directed by the electric matter which diffuses itself then in greater abundance, and penetrates every body. Hence it happens that stones become moist, that wood swells, and salt becomes deliquescent by the moisture. When the stones after being moist become dry, it is a sign of fine weather. On the other hand, when the weather inclines to rain, the water is seen to diminish in vases and fountains, because the humidity is then carried away by the evaporation of the electric matter. It is certainly a surprising phenomenon to see the earth, after very long and very abundant rains, to be sometimes always dry, the roads quite free from dirt, and the land arid and parched ; this is a sign that the rain has not altogether ceased, and denotes a continual efflux of electric matter, which, being renewed, carries with it, in the form of vapours, all the moisture that falls on the earth. There is sometimes, however, a great deal of dirt, even after a moderate rain, which, in that case, is a sign of fine weather, because it indicates that evaporation has ceased. Dry earth and moist stones announce rain. The appearance of hoar frost, which is most usually preceded by the east wind, indicates that cold weather will be of some duration. If it thunders in the month of December, moderate and fine weather may be expected. A fine autumn announces a winter during which winds will prevail ; if it is damp and rainy, it spoils grapes, injures sown fields, and threatens scarcity in the maturity of crops. If it be too cold or too warm, it

produces many maladies. A long severity of the seasons, either by winds, drought, dampness, heat, or cold, becomes exceedingly destructive to plants and animals.

ON THE WRITINGS OF LE FRANC DE POMPIGNAN.

THIS author flourished about the middle of the last century. He translated the tragedies of Æschylus and the Georgics of Virgil; composed an original drama called Dido; and wrote a small work, partly in prose and partly in verse, under the curious title of "*Le Nectar et l'Ambrosie*." But his reputation as a lyrist rests entirely on his "*Poésies Sacrées*," if we except his beautiful ode on the death of Jean Baptiste Rousseau. Pompignan was a Hebrew scholar, having studied that language for the express purpose of imitating with more fidelity the canticles and prophecies of the Bible. These, together with some psalms, he gave to the world under the general appellation of "*Poésies Sacrées*." We propose to extract a few specimens from his works, which are not so well known to English readers, as they merit.

"*La Mort de Rousseau*" is considered a *chef-d'œuvre* by the French critics, and though some of the stanzas are feeble, yet, taken as a whole, it is eminently beautiful. The opening verses are excellent, and the allusion to the death of Orpheus, and the bold, but purely classical, allusion to the lions lamenting the loss of the great musician, who, when living, had tamed them by the fascination of his lyre, displays at once the fire of Pompignan's genius and the correctness of his judgment.

Quand le premier chantre du monde
 Expira sur les bords glacés,
 Où l'Hèbre effrayé dans son onde
 Reçut ses membres dispersés,
 Le Thrace, errant sur les montagnes,
 Remplit les bois et les campagnes
 Du cri perçant de ses douleurs;
 Les champs de l'air en retentirent,
 Et dans les antres, qui gémissent,
 Le lion répandit des pleurs.

In this ode is the famous stanza which Cardinal Maury, who succeeded Pompignan at the French academy, desired might be engraved on the tomb of the poet, as the highest eulogy that could be paid to his memory. It certainly is a most splendid effusion, nor have we ever read so magnificent an emblematical description of genius enlightening mankind, while it was receiving their contempt, their hatred, and their persecution.

Le Nil a vu sur ses rivages
 Les noirs habitants des déserts
 Insulter, par leurs cris sauvages,
 L'astre éclatant de l'univers.

Cris impuissans ! fureurs bizarres !
Tandis que ces monstres barbares
Poussaient d'insolentes clameurs,
Le dieu, poursuivant sa carrière,
Versait des torrens de lumière
Sur ces obscurs blasphémateurs.

We take our next specimen from the hymn on Creation, advising our readers that we only select such a portion as appears most worthy of praise, and we shall adopt the same rule with other extracts, as our space does not admit of inserting the whole of any of these poems. *Ex pede Herculem* : we can only exhibit the foot of the giant, from which his full proportions must be judged.

I.

Inspire-moi de saints cantiques,
Mon âme, bénis le Seigneur ;
Quels concerts assez magnifiques,
Quels hymnes lui rendront honneur ?
L'éclat pompeux de ses ouvrages,
Depuis la naissance des âges,
Fait l'étonnement des mortels.
Les feux célestes le couronnent,
Et les flammes qui l'environnent
Sont ses vêtemens éternels.

II.

Ainsi qu'un pavillon tissu d'or et de soie,
Le vaste azür des cieux sous sa main se déploie.
Il peuple leurs déserts d'astres étincelants,
Les eaux autour de lui demeurent suspendues :
Il foule aux pieds les nues,
Il marche sur les vents.

III.

Fait-il entendre sa parole,
Les cieux croulent, la mer gémit,
La foudre part, l'aigüon vole,
La terre en silence frémit.
Du seuil des portes éternelles
Des légions d'esprits fidèles
A sa voix s'élancent dans l'air :
Un zèle dévorant les gulde,
Et leur essor est plus rapide
Que le feu brûlant de l'éclair.

IV.

Il combla du chaos les abîmes funèbres ;
Il affermit la terre et chassa les ténèbres.
Les eaux couvraient au loin les rochers et les monts,
Mais au son de sa voix les ondes se troublèrent,
Et soudain s'écoulèrent
Dans leurs gouffres profonds.

In rendering into French verse the awful scenes described in the visions of *Ezechiel*, *Pompignan* has seized with considerable skill the spirit of the inspired prophet, and in some passages has reached the sublime. We select, for example, the descent of the Egyptian king to the shades below, where he finds the avenues occupied by the spectres of a crowd of monarchs and barbarous chiefs who, as he had done, had oppressed nations.

I.

C'est là qu' Assur habite, et que d'un peuple immense
 Il voit autour de lui, dans un affreux silence,
 Les sépulcres rangés.
 De crainte à son aspect la terre fut frappée :
 Il périt : les soldats et leur roi sous l'épée
 Tomberont égarés.

II.

Elam est en ces lieux : ses honneurs l'abandonnent,
 De ses guerriers vaincus les tombeaux l'environnent
 De ténèbres couverts.
 Les pays qu'il troubla détestent sa mémoire ;
 Du milieu des combats il fut jeté sans gloire
 Dans le fond des enfers.

These two last lines have a variorum reading, which much better corresponds with the original text :

La mort a d'un seul coup précipité sa gloire
 Dans la nuit des enfers.

III.

Ils en ont occupé les innombrables routes
 Sur des lits que la mort dans ces obscures voûtes
 Elle-même a dressés ;
 Sujets indircconcis, souverains infidèles,
 Qui tous dans le séjour des ombres éternelles
 Sans ordre sont placés.

IV.

Vois ces princes du nord dont la gloire s'efface,
 Vois ces bras sans vigueur et ses fronts sans menace,
 Et ses yeux sans regards ;
 Fantômes que la mort en esclaves châtie,
 Eux dont jadis la main sur nous appesantie
 Brisait tous nos remparts.

V.

O monarques tombés, où sont vos diadèmes ?
 Et vous, hommes puissants, dont les fureurs extrêmes
 Tourmentaient l'univers,
 Où sont tous vos projets, vos grandeurs redoutables ?
 Les cachots du sommeil, au jour impénétrables,
 Vous tiennent dans les fers.

The two following stanzas against idolatry are taken from the prophecy of Habakuk.

I.

Voilà donc les faveurs insignes
 Que vous recevez de vos dieux !
 De ces divinités indignes,
 Mortels, vous remplissez les cieux.
 Des colosses jetés en fonte
 Sont l'objet d'un culte nouveau,
 Et l'artisan troublé se prosterne sans
 honte
 Devant ces dieux muets, enfants de son
 ciseau.

II.

Le sculpteur a dit à la pierre ;
 Sois un dieu, je vais t'adorer.
 Il a dit à ce tronc étendu sur la terre,
 Lève-toi, je vais t'implorer.
 D'un bois rongé de vers, ou d'un marbre
 insensible,
 L'idolâtre fait son appui. [raptible :
 Mais le Seigneur habite un temple incor-
 Que l'univers se taise et tremble devant
 lui.

It is well known to all who have studied the Scriptures, that the prophets and inspired writers of the Jewish nation were constantly exhorting

the people to shrink from even the least approach to idolatry. When it pleased God to manifest himself to the Israelites, or permit any of his angels to communicate with them, the substance of the message usually tended to denounce the sin of idolatry. Accordingly, in no part of the Bible is the grandeur of the Supreme Being expressed by images more palpable, more varied, and more impressive, than when this idea and admonition are sought to be conveyed. Pompignan has handled this subject with the hand of a master in the following stanzas, in which, after Isaiah, he supposes the Deity to reproach the Israelites with making idols :

I.

Mais moi, qui m'a fait ? qui suis-je ?
Parlez à la terre, aux flots ;
Ils attestent le prodige
Qui les tira du chaos.
La sphère où l'homme voyage,
Au Dieu dont elle est l'ouvrage
Sert de siège et de degré.
Le firmament, qui la couvre,
N'est qu'un pavillon qui s'ouvre
Et se referme à mon gré.

II.

Levez les yeux sur les voiles
Des célestes régions :
J'y ressemblai des étoiles
Les nombreuses légions.
Cette lumineuse armée
Dans une plaine enflammée
Marche et s'arrête à mon choix.
Par leur nom je les appelle :
Nulle à mes lois n'est rebelle,
Et chacun entend ma voix.

The prophecy of Nehemiah against Nineveh has furnished to Pompignan the materials of one of his best odes. He has adopted the rhythm used by Rousseau in his *Battle of Peterwaradin*, the metre of three feet and a half, which is the best suited to a lively and rapid narration. The subject relates to the conquest of the capital of the Assyrians, which was taken and destroyed by the Medes.

I.

Tyrans, le vainqueur s'avance ;
J'aperçois ses pavillons ;
Une multitude immense
Ravage au loin les sillons.
Peuple saint, reprends courage ;
Cet épouvantable orage
Gronde sur tes ennemis.
Le Seigneur, par leurs alarmes,
Commence à venger les larmes,
Et le sang de ses amis.

II.

Au signal qui les appelle,
Les drapeaux flottent dans l'air,
Toute l'armée étincelle
De pourpre, d'or et de fer.
Quels cris confus retentissent !
Les coursiers foudroyants hennissent.
Quel bruit d'armes et de chars !
Le front du soldat s'enflamme,
Et la fureur de son âme
Éclate dans ses regards.

III.

Au souvenir de ses pères,
Assur, dédaignant la mort,
Des phalanges étrangères
Sur ses murs soutient l'effort.
Mais en vain son industrie
Oppose à tant de furie
De nouveaux retranchements ;
Les flots s'ouvrent une route,
Le temple tombe, et sa voûte
Écrase ses fondements.

IV.

Que de captifs qu'on enchaîne !
Que de femmes dans les fers !
O Ninive, ô souveraine
De tant de peuple divers !
Sous les eaux ensevelie,
En vain ta voix affaiblie
Demande encore des secours ;
Sourds à ta plainte mourante,
Tes enfants, pleins d'épouvante,
T'abandonnent pour toujours.

Nations victorieuses,
Arrachez de ses palais
Ces richesses orgueilleuses
Qu'elle dut à ses forfaits.

O jour lugubre et funeste !
 Tout meurt ou fuit ; il ne reste
 Que des cœurs désespérés,
 Que des fantômes stupides,
 Que des visages livides,
 Par la peur défigurés.

The passage of the Red Sea by the Israelites and the destruction of Pharaoh and his host, form a fine subject both for the poet and the painter. The ode of Pompignan, descriptive of this awful scene, is not entirely in his happiest vein. The opening stanzas are flat and feeble, but the two following are worthy of his genius.

La mer alors, la mer qui baigne leur empire,
 De toutes parts les investit.
 Son propre roi, qu' elle engloutit,
 Disparaît dans l'abîme, où sa fureur expire.
 J'ai vu chefs et soldats, coursiers, armes, drapeaux,
 Au bruit des vents et du tonnerre,
 Comme le métal ou la pierre,
 Tomber, s'ensevelir dans le gouffre des eaux.

Ta droite a signalé sa force inépuisable
 Seigneur ; où sont ces rois contre ta foi durable
 Follement conjurés ?
 De leur impiété quel sera le salaire ?
 Je les cherche : où sont-ils ? Le feu de ta colère
 Les a tous dévorés.

One of the visions of Ezechiel represents the prophet standing in the middle of a field covered with human bones, when he receives the divine command to breathe on these remnants of mortality, that they may be covered with flesh, and spring again into life. This subject Pompignan has also attempted with considerable success, and as a specimen we sub-join the two following stanzas. Ezechiel is supposed to speak in person.

I.
 Dieu dit, et je redis à peine
 Les oracles de son pouvoir,
 Que j'entends partout dans la plaine
 Ces os avec bruit se mouvoir.
 Dans leurs liens ils se replacent ;
 Les nerfs se croissent et s'entrelacent ;
 Le sang inonde ses canaux ;
 La chair renaît et se colore :
 Mais un âme manquait encore
 A ces habitants des tombeaux.

II.
 Mais le Seigneur se fit entendre,
 Et je m'écriai plein d'ardeur :
 " Esprit, hâtez-vous de descendre ;
 " Venez, Esprit réparateur ;
 " Soufflez des quatre vents du monde,
 " Soufflez votre chaleur féconde
 " Sur les corps prêts d'ouvrir les yeux."
 Soudain le prodige s'achève,
 Et le peuple de morts se lève,
 Etonné de revoir les cieux.

The following distich, descriptive of the parched and arid state of a country afflicted with drought, is, at least in our humble judgment, peculiarly animated and most felicitously graphic.

L'air n'a plus de zéphyrs, le ciel est sans rosée ;
 Les animaux mourants sur la terre embrasée
 Ne trouvent sous leurs pas ni fleuves ni ruisseaux ;
 Et le feu souterrain, dans sa brûlante course,
 Jusqu'au fond de leur source
 A dévoré les eaux.

We select our next specimen from the Song of Deborah.

Une femme s'oppose à leurs progrès funestes ;
Mère de sa patrie, elle en sauve les restes,
Qui des fers d'un tyran ne pouvaient s'échapper.
Dieu s'ouvre à la victoire une nouvelle voie ;
Le chef qu'il nous envoie
A combattu sans arme et vaincu sans frapper.

Les débris de leur camp sont éparés dans la plaine,
Le torrent de Cison dans ses gouffres entraîne
Les cadavres impurs dont ses bords sont couverts.
Sous cet horrible poids sa source est arrêtée,
Et son onde infectée
Mêle des flots de sang à l'écume des mers.

The following ode is traced from the portraiture of the infamous disorders prevalent in Samaria and Jerusalem, described by Ezechiel, allegorically represented under the character of two sisters, both adulterous wives, and also on the inhuman sacrifices to Moloch. Pompignan, in this poem, supposes God to speak to his prophet, who is described in the scriptural phrase as the Son of Man, a term of appellation, as it is well known, current throughout the sacred writings.

I.

Achievez, fils de l'homme, achève mes vengeances ;
De ces coupables sœurs publiez les offenses ;
Que le bras de la mort commence à les saisir ;
Monstres qui se faisaient, pour braver ma colère,
Un jeu de l'adultère,
Et du meurtre un plaisir.

II.

D'un culte réprouvé prêtresses détestables,
Ces femmes ont offert à des dieux exécrables
Les enfants que pour moi leurs flancs avaient conçus ;
Elles ont présenté ces victimes tremblantes,
Et dans ses mains brûlantes
Moloch les a reçus.

III.

Tandis qu'ils expiraient dans des feux sacrilèges,
Leurs mères, au mépris des plus saints privilèges,
Violaient le repos de mes jours solennels,
Et portaient, sans effroi, jusqu'en mon sanctuaire
Leur cri tumultuaire,
Et leurs jeux criminels.

IV.

Tu t'abreuvas, barbare, et de sang et de larmes ;
Et dans le même instant tu préparais tes charmes
Pour les jeunes amants dans ta cour appelés.
Les parfums précieux dont on me doit l'hommage
Déjà pour ton usage
Dans tes bains sont mêlés.

V.

Dans l'art de plaire et de séduire
Tu vantais tes lâches succès ;
Ton cœur, que je n'ai pu réduire
Inventait de nouveaux excès.

Tu rassemblais les Ammonites,
 Les Chaldéens, les Moabites,
 Les voluptueux Syriens ;
 Et toujours plus insatiable,
 Tu fis un commerce effroyable
 De tes plaisirs et de tes biens.

VI.

D'autres reçoivent des largesses
 Pour prix de leurs égaremens :
 Mais toi, tu livras tes richesses
 Pour récompenser tes amants.
 Tu laissais aux femmes vulgaires
 L'honneur d'obtenir des salaires,
 Qui d'opprobre couvraient leur front ;
 Pour mieux surpasser tes rivales,
 Tes tendresses plus libérales
 Achetaient le crime et l'affront.

VII.

Ma sévérité, toujours lente,
 N'a point éveillé tes remords,
 Tu quittes, transfuge insolente,
 Le Dieu vivant pour les dieux morts.
 Quoi donc ! oublieras-tu, perfide,
 Femme ingrâte, mère homicide,
 Que je t'arrachai du tombeau ;
 Et te sauvai, par ma puissance,
 Des opprobres de ton enfance,
 Et des douleurs de ton berceau ?

We shall conclude this notice of the writings of Le Franc de Pompignan by a few didactic specimens of his style in hexameter verse, which unite to a mellifluous versification a high tone of piety, of morals, and true philosophy. They are extracted from that portion of his works which he entitled "*Discours Philosophiques*."

Voulez-vous dans vos cœurs conserver la justice ;
 Obéissez à Dieu ; vous dépendez de lui ;
 Aux lois, aux magistrats ; leur force est votre appui :
 A Dieu plus qu'au roi même ; il vous a donné l'être,
 Et des maîtres du monde il est le premier maître ;
 Si ce vaste univers est plein de malheureux,
 Si l'homme s'abandonne à des crimes honteux,
 Si l'autel est souillé par un pontife impie,
 Si l'innocent proscrit perd l'honneur et la vie ;
 Gardons-nous d'accuser les célestes décrets :
 De tant d'événements les principes secrets
 Surpassent des humains la faible intelligence,
 Et ce n'est point encore le temps de la science.
 Le philosophe en vain la cherche jour et nuit ;
 Plus l'orgueil veut l'atteindre, et plus elle nous fuit.
 Dieu n'a point dans ses lois demandé nos suffrages ;
 Recevons ses bienfaits, contemplons ses ouvrages,
 Jusqu'au jour où ses feux viendront nous éclairer ;
 C'est à lui de savoir, c'est à nous d'ignorer.

Aimez qui vous instruit ; aimez l'ami sincère
 Dont l'œil sur vos défauts porte un regard austère.
 S'il se tait, sur son front vous lisez vos erreurs ;
 Son silence vaut mieux que le cri des flatteurs.
 Que m'importe le son de leurs clameurs serviles ?
 J'estime autant le bruit de ces rameaux fragiles,
 Dont le bois pétillant, des flammes consumé,
 Tombe réduit en cendre aussitôt qu'allumé.

The portrait of a good king is happily sketched out in the following lines, which are also full of poetic beauty.

Son front calme et serein dissipe les alarmes ;
Les yeux à son aspect ne versent plus de larmes.
C'est le soleil du pauvre et l'astre du bonheur ;
La terre et les humains ressentent sa faveur.
Telle est au point du jour cette fraîche rosée,
Secours délicieux d'une plante épuisée,
Source de ses parfums qu'au retour du printemps
Exhalent à l'envi les jardins et les champs.
Telle est la douce pluie, en automne attendue,
Qui sans bruit, sans orage, à grands flots répandue,
Vient donner aux raisins, trop durs par l'été,
Leur sève, leur couleur, et leur maturité.

SKETCH OF THE REBELLION IN MEXICO.

THE Mexican rebellion broke out in September, 1810, and terminated in October, 1824, when the present federal constitution was definitively settled. The events which occurred during this memorable period, for the sake of simplicity and clearness in narration, may be considered in reference to the principal leaders of the insurrection. In this view of the subject, the campaign under the curate Hidalgo stands first : after his death, the native forces ranged themselves under the banners of the curate Morelos, whose exploits form the second era in the war of independence ; in April, 1817, Don Xavier Mina, nephew to the famous Espoz y Mina, landed with his expedition, and his achievements form a third epoch in Mexican history : the fourth period may be dated from the time when Iturbide deserted the cause of Old Spain, and caused himself to be proclaimed emperor down to the day of his abdication. This division, our readers will understand, is quite arbitrary, and adopted by us solely to present a more orderly and perspicuous narrative of facts than any other arrangement would have afforded ; but as we propose in a separate article to give some biographical sketches of the other chiefs, what is now deficient will on that occasion be supplied.

At the commencement of 1808, Don Jose Iturrigary was viceroy of Mexico. The population was about seven millions ; the condition of the country was prosperous ; the mines were productive ; the agriculture of the colony was flourishing ; the viceroy was popular ; the people were contented ; and the authority of Old Spain seemed to be as firmly established as at any former period. But the disastrous affairs of the Peninsula, the occupation of Madrid by the French troops, and the captivity of the king, excited the liveliest emotions among all classes of the people, and as the viceroy communicated this melancholy intelligence, through the government gazette, without a single comment, public opinion was left in a most unsettled and vacillating state. This error, however, the viceroy

the Spaniards, and give them a safe escort to the coast, thence to be embarked for the Peninsula. The governor, in a temperate but firm answer, expressed his resolution to defend his trust to the last extremity, and Abasolo instantly gave orders for the attack. He had only one disciplined body of men under his command, the regiment of *La Reina*, but he was supported by swarms of Indians who had flocked to the standard of Hidalgo, and severely annoyed the besieged by their slings, the only weapon they possessed. Rianon made a brave defence, but being shot dead in the temple, the Spaniards were panic-stricken, and surrendered at discretion.

When this intelligence reached the capital, it excited the liveliest consternation among the native Spaniards, and the most restless inquietude among the Creole population, the vast majority of whom secretly favoured the cause of Hidalgo, though they were too strictly watched by the authorities openly to express their sentiments. It was expected that the victorious curate would lose no time in marching on Mexico itself, and as the capture of that city would at once have decided the contest, it was as much desired as dreaded by the two parties. Two days before the insurrection had broken out at Dolores, Don Francisco Xavier Venegas was installed into the office of viceroy, who, being unacquainted with the real state of the country and the true feelings of the people, placed every confidence in the opinions of the old members of the *audiencia*, by whom he was seriously misled. The Oidor Bateller, one of the foremost to insist on the deposition of Iturrigary, had vainly boasted to Venegas that the mere sound of a drum would scare away the followers of Hidalgo, but the capture of Guanajuato undeceived the viceroy, who at once perceived that his enemy was not to be despised. He, accordingly, made every preparation to defend the capital. He had the good sense to give the command of the finest cavalry regiment to the Conde de la Cadena, a native Mexican, and thus secured the support of his family and friends. He next availed himself of the superstition of the times, and caused the archbishop Lizana, and the Inquisition, to excommunicate Hidalgo. He dispatched orders to brigadier Don Felix Maria Calleja, better known in the Spanish revolution by the title of Conde de Calderon, to march on Mexico: ordered colonel Truxillo, and Don Augustin Iturbide, then a humble lieutenant in the Spanish service, with a corps of observation, to watch the movements of Hidalgo, and collected seven thousand troops round the city, which he further protected by new batteries.

In the mean time the curate marched with his whole army on Valladolid, which was abandoned by the bishop and the Europeans at his approach. Here he was joined by a regiment of provincial militia and a regiment of dragoons, and his whole army mustered fifty thousand men. On the 28th October, within less than seven weeks of the insurrection at Dolores, the insurgents occupied Toluca, a town within twelve leagues of

the capital. On the 30th, an engagement took place at Las Cruces, where Truxillo had taken up a position, in which Hidalgo and Allende were victorious. Allende insisted on an immediate advance upon the capital, but he was overruled by the curate. His refusal to follow the advice of his impetuous associate has been denounced by some as an act of cowardice, but this accusation is without the least foundation. At the battle of Las Cruces, the Indians had suffered severely from Truxillo's artillery, with the nature of which they were so totally unacquainted that they actually charged the guns and attempted to stop their mouths with their straw hats. These auxiliaries formed the strength of Hidalgo's army, which was only formidable from its numbers, and not from its discipline; and he was convinced, that they would never face the batteries recently erected by Venegas. Independently of these considerations, Hidalgo was aware of the rapid approach of Calleja, and he dreaded a defeat, which would hem him in between two organized bodies of regularly drilled troops. Under these circumstances, he determined to retreat.

This retrograde movement was executed most unskilfully, for, at the end of six days, the advanced guard of Hidalgo suddenly encountered the outposts of Calleja, the enemy he sought to avoid. By an unfortunate accident, some random shots were fired by the insurgents, which galled the pride of the regular Creole regiments in the Spanish service. The famous battle of Aculco ensued, which was fought on the 7th November, 1810, and ended in the total defeat of Hidalgo, the loss of his cannon, and the slaughter of ten thousand Indians. It is now an ascertained fact, that Calleja placed no dependence on his Creole soldiers, and had the officers of Hidalgo prevented any firing, it is certain that the Spanish general would have been abandoned on the field of battle, and been made prisoner by his own troops, who would never have attacked their own countrymen, unless they had received the first provocation. To this most untoward event may be ascribed a protracted warfare of fourteen years.

Hidalgo, with most of his officers, escaped the carnage, and reached Valladolid on the 14th November. He halted there only three days to recruit his forces and pushed forward to Guadalajara, which town one of his lieutenants had taken possession of on the very day on which the battle of Aculco was fought. His entry into that place was truly triumphal, and although the sentence of excommunication was not removed, he celebrated a grand *Te Deum* in the cathedral, and received the adhesion of all the great provincial corporations. He was here joined by Allende, who patriotically smothered his personal resentment, and actively promoted the cause of his country. Hidalgo ransacked San Blas, the great dock yard and arsenal of the Spaniards on the western coast, and the cannon he there found replaced the losses at Aculco.

Nor was Calleja inactive. After recapturing Guanajuato, which Allende was compelled to abandon, he pursued with vigour the insurgent forces,

and the two armies again came in sight of each other on the 16th January, 1811, at the bridge of Calderon. Allende was averse to an engagement, as the new levies were altogether undisciplined, and they had only twelve hundred muskets. A council of war was held, in which he was outvoted, and the total defeat of Hidalgo justified the prediction of his prudent associate. From the place where this battle was decided, Brigadier General Calleja took the title of Condé de Calderon, under which, in 1820, he was surprised and made prisoner by the patriot Riego, just on the eve of his embarkation to Mexico.

The insurgent leaders arrived in safety at Saltillo with only four thousand men, but Don Ignacio Lopez Rayon, who was educated for the bar, and acted as confidential secretary to Hidalgo, had the address, after the action, to carry off the military chest from Guadalajara containing three hundred thousand dollars. These two defeats, however, did not abate the ardour or shake the firmness of the curate, though they taught him prudence. After much debate, it was resolved that Hidalgo, Allende, Aldama, and Abasalo should proceed to the frontiers of the United States, and there purchase arms, accoutrements, and ammunition, with the treasure secured by Rayon, who was to remain in command of the army. In this expedition, they were betrayed by the base treachery of a former confederate, Don Ignacio Elizondo, who purchased his pardon from government by sacrificing his honour. These first heroes of the war of independence were made prisoners on the 21st March, 1811, and detained in confinement till the end of July, the audiencia of Mexico and the viceroy hoping to extort some information from them as to the extent and ramifications of the insurrection in the provinces. But all threats and persuasions were equally unavailing, and Hidalgo and his three early companions were shot. It is gratifying to know that they met death with the unflinching courage of true republicans, cheerfully offering their blood for the happiness of their native land.

The public career of Hidalgo lasted only for the short space of six months, but his name will live for ever in the annals of Mexican history. That the humble curate of a small village, supported in the outset by only ten of his parishioners, should attempt to shake an authority established during three centuries and protected by disciplined armies, savours infinitely more of romance, than fact; yet such is the truth, and it shows how much may be effected by the energies of a single mind. What an instructive lesson does his noble conduct afford to those listless, lukewarm, and vacillating politicians of all countries, who, for want of spirit to demand a reform of abuses, quietly and meanly allow the heel of oppression to trample on their necks! And, if despots or aristocrats could ever learn wisdom from experience, surely here is an example to convince them of the folly of attempting to govern in spite of public opinion. Though Hidalgo was skilled in a knowledge of the human heart, endowed with

moral courage, and fitted for command, yet he never would have succeeded in his enterprize, unless the materials of revolution had been ready to his hand. His tact consisted in seizing a proper opportunity and converting those materials to a useful purpose, or, in other words, he *followed* the bent of public opinion, which he did not create, but which tyranny had *created* for him. His strength was the justice of his cause.

Impartiality compels us to admit that the character of Hidalgo was stained with cruelty. His bitter enmity to every thing Spanish prompted him, during his stay in Guadalajara, to a deed of cold-bloodedness which deserves eternal execration. The captive Spaniards, without discrimination of age or sex, the innocent and the guilty, without any form of trial, without examination, without any evidence, were led out of the city in companies of twenty and thirty in the dead of night, hurried off to the mountains, and there butchered with swords and knives, the use of fire arms being prohibited, lest the report should excite alarm. During the three days he sojourned in Valladolid, he executed eighty Spaniards, and in Guadalajara nearly eight hundred. A letter was produced on his trial in which he ordered the seizure of as many Spaniards as possible, and in which he remarked, "if you should have any reason to suspect your prisoners of entertaining restless, or seditious, ideas, *bury them in oblivion at once*, by putting such persons to death, with all necessary precautions, in some secret and solitary place, where their fate may remain for ever unknown." He thus reduced murder to a system: but his *vices* were his own, and not those of his followers: they disgrace the individual, but not the revolution. Indeed, Allende was so shocked at the cruelties of Hidalgo, that he would have abandoned him, had not Calleja approached, and his honour as a soldier, and his feelings as a patriot, would not allow him to sheath his sword, when his enemy was in sight.

The massacres committed by Hidalgo were put forth by the Spanish authorities as the excuse or the justification of their own excesses. When Calleja had occupied Guanajuato, he decimated the Creole population, and the war, from that period to the close, became a war of extermination. It is true that Hidalgo set the example, and some allowance must be made for the vengeance of an inflamed and victorious army, but unfortunately the Spaniards pursued the same system after Hidalgo's death, and quarter was rarely given on either side. So inveterate, indeed, were the Spaniards in their hatred, that, when the insurgent chiefs entreated them to desist from this barbarous slaughter, they refused to listen to the proposal, and persevered in their inhuman and sanguinary course. This fiendish spirit gave to the war of independence the character of a struggle between the savage tribes of North America, when the tomahawk and the scalping knife were the inevitable fate of every prisoner. (To be continued.)

ON CRIMES AND PUNISHMENTS.

THE permanency of all social institutions depends on the enactment and execution of laws. It is proved by universal experience that, unless the passions and vices of men were controlled by the dread of temporal punishment, neither life nor property would be worth a single day's purchase. The strong would oppress the weak ; the designing would overreach the unsuspecting ; and, in cases where open force was baffled by caution, the reckless and unprincipled would never hesitate to compass their views by secret assassination or secret robbery. Hence has arisen the necessity, in all countries, of arming the legal tribunals with power to repress crime by punishment ; but as punishment itself is an evil, as well as crime, and only justifiable because it is the less evil of the two, it is important to investigate the first principles of penal jurisprudence and fix with some precision the foundations on which they are established.

In the earlier periods of society, when the true principles of legislation were unknown, punishments were vindictive and sanguinary. The *lex talionis* suited the rude notions of a barbarous age, and an eye for an eye, and a tooth for a tooth, appeared to be a perfect standard of retributive justice. The cultivation of the fine arts, and the general advancement of literature, tended to soften the asperities of human nature ; and, as civilization extended its influence, humanity followed in its train. The trial by ordeal, the use of the rack, and other cruel instruments of torture, were gradually discontinued, and, during the last century, the labours of Beccaria and Montesquieu prepared the way to a reform in criminal jurisprudence. To them Europe is principally indebted, as being the first who gave a death blow to reigning prejudices ; but, notwithstanding their valuable efforts, and the writings of several philosophers who have succeeded them, the grand problems of penal law are yet imperfectly understood by the majority of mankind.

It is obvious that there exist only two possible ways in which punishment can be inflicted, to wit, either by *pecuniary* or *corporal* punishments. Hence arises the legal maxim : *Qui non habet in crumenâ, luat in corpore* : Those who are rich, must make compensation in money : those who are poor, must atone for their offences by incarceration, bodily labour, bodily torture, or death.

In different countries and at different periods, three systems of criminal law have prevailed, each of which has had its admirers. The first, breathing the spirit of Draco and of barbarism, affixed the punishment of death to every violation of the law. The second, somewhat less ferocious, inflicted certain, severe, degrading, and durable punishments : this has been called the principle of intimidation. The third, which is at present the popular plan, at least among the enlightened, expects to prevent crime by moral reformation,—and in that view they advocate the system of Sunday

schools and general education, and recommend the conversion of gaols into seminaries of instruction.

The grand desideratum in penal law is the exact adaptation of punishment to crime, for all punishment, be it remembered, is an evil, and the only consideration which justifies the magistrate in inflicting it at all, is the prevention of a greater evil. If it could be proved, for example, that the acquittal of a murderer would not induce any other person to perpetrate a similar crime, in the hope of escaping with impunity, *on that supposition* the magistrate would not be justified in inflicting any punishment whatever. But, since experience shows that the most dangerous consequences would result to society, if murderers were not punished with death, the magistrate is permitted to do evil that good may come; that is to say, he is authorised to take away the life of one man to save the lives of thousands. Since then laws are made to extend and secure social happiness, and not to produce either general or individual pain, it follows that, in the apportionment of punishment to crime, no greater degree of suffering should be inflicted on the offender than is necessary to prevent the repetition of the crime. This principle is indeed founded in the common feelings of humanity, and was recognized among the pagans :

. Adsit
Regula peccatis, quæ pœnas irroget æquas,
Ne scuticâ dignum, horribili sectere flagello.

A system of penal law which sanctions excessive punishment, that is to say, punishment disproportioned to the offence, can only be tolerated in a barbarous age, and it is one among the many advantages of education, to diffuse that spirit of social benevolence, which is based on Christian charity. The following extract from Eden's Principles of Penal Law will give some idea of the sanguinary character of our ancestors, who substituted revenge for justice, and gloried in perpetrating the most ruthless, the most savage, and the most revolting atrocities :

"The accomplished and sentimental Sir Thomas More caused Lutherans to be whipped, tortured, and burned in his presence. Archbishop Cranmer, with his own hand, led arians and anabaptists to the stake. Bonner, bishop of London, tore off the beard of a weaver, who refused to relinquish his tenets. In another instance of the same kind, he scourged a man till his arm ached with the exercise, and held the hand of a third to a candle to give him a specimen of burning, till the sinews and veins shrunk and burst. Even Wriothesly, chancellor of England, directed a young and beautiful woman to be stretched on the rack for having differed with him concerning the real presence : with his own arm he tore her body asunder, and caused the mangled remains to be committed to the flames. In fine, infants born at the stake were thrown into the fire with their parents, as partaking of the same heresy."

These are not solitary or isolated instances of cruelty ; numerous examples, equally horrible, might be adduced. National pride, one of the weakest of vulgar prejudices, which ambition flatters and inflames when it desires to kindle war, and plunder the unoffending people of neighbouring countries, who are then denounced as the *natural enemies* of the poor dupes who sally forth to slaughter, or to be slaughtered,—national pride affects to shudder with horror at the merciless inquisition, at the thumb screws, and searing irons, and red hot pincers of the holy office ; accused be the memory of those monsters ! But let us not forget to include in our reprobation our own countrymen, and, if we are now less ferocious than our ancestors, let us ascribe our moral improvement to the humanizing effects of education, and that philosophy which the fool cannot comprehend, which the bigot denounces as impiety, which the fopling sneers at as mystification, and from which the tyrant shrinks as from the glance of destiny.

Among the most appalling punishments inflicted by the old penal code of England, may be included the “*peine forte et dure*,” and as the legal consequences of this practice are remarkable, it is presumed that the following statement will not prove unacceptable. When a criminal refused to plead to an indictment, and remained mute, he was adjudged to be contumacious ; and, if he persisted in his silence, he was laid naked on his back with a heavy weight upon his chest, which was gradually increased, till he either pleaded or died. Such was the torture employed to extract an answer. It may readily be supposed that very few criminals remained obstinately contumacious ; but there is one instance on record to the contrary, which is sufficiently curious to merit being here mentioned. A Mr. Calverly, of Yorkshire, suspected his wife of incontinence, and, in a paroxysm of rage, he murdered her. After having committed this horrid deed, he threw from the top of his house his seven children, who were suffocated to death in a moat which encircled his dwelling. He then mounted his horse, and rode to the neighbouring village, intending to kill another child, which was out at nurse ; but conscience smote him on the road, and he delivered himself into the hands of justice. When put on his trial, he refused to plead to the indictment, and on these grounds :—if he had confessed the murder, then his estates would have been forfeited to the crown ; had he committed suicide, which at one time he meditated, his surviving child would have been equally dispossessed of his inheritance. Mr. Calverly, therefore, upon being arraigned, remained mute, submitted to the punishment, and died under its infliction. In consequence of his thus dying without having been legally proved to be guilty, the law presumed him innocent, and his child entered into the enjoyment of his estates. This tragical story furnished the materials of the play called the “*Yorkshire Tragedy*,” attributed by some critics to Shakspeare. The last person who suffered was a captain of a vessel, accused of piracy in the

middle of the seventeenth century. The court in Newgate, now called the press yard, derives its name from having been the place in which the "peine forte et dure" was inflicted.

As additional evidence of the sanguinary character of the English penal code, and the unjust inequality between crime and punishment, we insert the opinions of two moderate politicians, both eminently qualified to give a sound judgment on this question: "Among the variety of actions," said Sir John Austriker, in a speech he delivered in the House of Commons in 1811, "that men are daily liable to commit, no less than *two hundred* have been declared by act of parliament to be felonies without benefit of clergy, or, in other words, to be worthy of instant death. When we inquire into the nature of the crimes of which this dreadful catalogue is composed, we shall find it to contain transgressions which scarcely deserve corporal punishment; we shall find it to emit atrocious enormities, and so to blend all distinctions of guilt, as to inflict the same punishment on the offender who steals to the amount of a few shillings in a shop, as upon the malefactor who murders his father."

Mr. Roscoe, in his tract on Penal Jurisprudence, has the following remarks: "To commit a murder,—or to free a person from arrest; to burn a dwelling-house and its inhabitants,—or to burn a hay-stack; to commit a parricide,—or to obstruct a revenue-officer in the seizure of prohibited goods; to break into a dwelling-house at midnight,—or to cut down or otherwise destroy a tree in a garden; to poison a family,—or to wound or maim a cow; all these offences," continues our author, "are liable to the same punishment—death."

Notwithstanding the extreme severity of the penal code, crime has been more prevalent in England than in any other country,—a convincing proof that the severity of punishment defeats its own object. When offences, comparatively trifling, are declared by law to be capital crimes, parties injured will not prosecute, witnesses will not give evidence, juries will not convict, and judges will not condemn. The result has a two-fold bad effect, first, on society at large, secondly, on the individual culprit. In the former case, public justice is mocked at by the escape of the offender, and the law rendered a dead letter. In the second case, the offender himself, desiding the impotency of justice, and buoyed up by a false confidence, proceeds from petty misdemeanours to flagrant crimes, and at last terminates his career on the scaffold. But if punishments were milder and more fairly proportioned to the injury inflicted, juvenile delinquents would be arrested in their career, by suffering some mitigated form of chastisement, for it is now generally agreed that the certainty of punishment is infinitely more efficacious than the severity.

Nor is this the only evil of a sanguinary penal code. It has a direct tendency to kindle the most cruel and ferocious passions in all who are disposed to violate the law, and convert a thief into a murderer. Suppose

a highwayman to stop a traveller on the road and demand his money. He knows perfectly well that, if he is detected, he will be hanged; therefore, self-preservation renders it necessary for him to take the life, as well as the property of his victim. Now, if the law affixed a minor punishment to *simple robbery* on the highway, the great probability is, that motives of humanity would induce the highwayman to abstain from imbruing his hands in blood. But is it rational to suppose that, after having committed the first offence, he would hesitate to secure his own personal safety by perpetrating the blacker crime? We are firmly of opinion, that, except in cases where the offender is of an extremely vicious and merciless disposition, very few individuals robbed on the highway would also be murdered, but so long as the same punishment is affixed to both crimes, there can be very little chance of escape; for the highwayman, having to make the choice of two evils, either of sacrificing his victim or placing his own life in jeopardy, very naturally elects the alternative which conduces most to his own advantage. It is clearly against his *interest* to be merciful, for the person robbed may, at some future date, identify and bring him to the gallows. Is it not, then, clear that this injudicious severity of the penal code, and the disproportion between crime and punishment, operates as a direct incentive to murder? Does not the case we have supposed, to illustrate our argument, exemplify the common saying familiar to every wrong-doer, "I may as well be hanged for a sheep as a lamb."

England, who proudly puts herself forward in the van of civilization, has lagged behind the continental nations in the cause of humanity. Leopold, grand duke of Tuscany, imbibed the principles of Beccaria, and abolished the punishment of death throughout his dominions, in 1786. Frederick the Great abolished it in Prussia. It was put an end to in Austria by the emperor Joseph; and discontinued at Geneva in 1756, and in Sweden in 1773. Even in barbarous Russia there is no capital punishment for any crime but treason, and the mildness of the criminal code has no doubt tended to hasten the civilization of that country, for it is certain that frequent public exhibitions of spilling human blood engenders a ferocious and demoralizing spirit among the populace.

All crime is the offspring of the animal passions and the animal principles of action. These can only be regulated and controlled by the rational principles of action. As prevention is in all cases better than cure, it becomes our legislators to inquire, whether an extensive system of national education would not prove more efficacious in repressing crime than a sanguinary penal code. Beccaria is of opinion, that no government has a right to punish its own subjects, unless it has previously taken care to instruct them in the knowledge of the laws and the duties of public and private life. The strong mind of William Penn grasped at both these objects, and provisions to secure their attainment were interwoven with his system of punishments. His laws enjoined all parents and guardians

to instruct the children under their care, so as to enable them to read and write the Scriptures at the time they arrived at twelve years of age ; and he further directed that a copy of the laws (at that time simple and concise) should be used as a school book. Similar provisions were introduced into the laws of Connecticut, and the *select men* were ordered to see that "none suffer so much barbarism in their families, as to want such learning and instruction." The children were to be "taught the laws against capital offences," as those at Rome were accustomed to commit the twelve tables to memory. These were regulations in the pure spirit of a virtuous republic, which, considering the youth as the property of the state, does not permit a parent to bring up a child in ignorance.

It is the custom in all existing schools to teach children the catechism, the creed, and the more prominent articles of the Christian faith. So far as this instruction goes, it deserves every praise, but the preceptor is too apt to think that this constitutes his whole duty. Herein we apprehend consists a most fatal error, for it is far from sufficient to instil into the minds of youth a knowledge of the *forms* and *ceremonies* of religion. Children ought to be made, in early life, to imbibe the fundamental principles of Christianity, and apply them to all that they read of in history, and to all that they may observe of the current affairs of the day. For what is the test of true greatness in a Christian mind ? It is loving our neighbour as ourselves, and doing unto others that which we would have others do unto us. The Christian scholar ought to study history in this spirit, and then he would be able to distinguish the real benefactors of the human race from those who have usurped their place. Kings and military conquerors would then sink into insignificance and contempt, while poets and philosophers who have enlightened the human mind, navigators who have discovered unknown worlds, and mechanics who have invented useful tools, would become the only models for imitation. What were Cæsar and Alexander compared with Columbus and Cook ? What value to society were all the knights of Christendom compared with a Davey, an Arkwright, and a Watt ? The fame of the one class depends on their having shed blood in torrents ; the glory of the other class is based on having opened new and inexhaustible sources of human happiness. Which is more worthy of the attention of a Christian pupil in a Christian seminary ? In this mode, education ought to proceed, for knowledge, thus conveyed, assumes at once a practical character, and the reasoning faculties are at once developed. Habits of early reflection are thus formed, and the child, instead of halting on the threshold, begins to see not only the right and wrong of actions, but the proximate and remote consequences of actions, and is thus, from the dawn of reason, habituated to test every character, and every opinion, and every deed, by the only unerring standard—the religion of Christ.

We are decidedly of opinion that national education is the proper duty

of the state. Every child, being an infant citizen, about to become useful or injurious to his country, has a clear right to be instructed in his future duties, and if the legislature refuses or neglects to train the youth of the nation up in virtue, we contend that they act most tyrannically if they hang them, when men, for their vices. Parliament vote annually large sums of money for the support of naval and military academies: we do not blame them for the encouragement thus given to the future armed force of the country; but why not extend this principle, and maintain schools for the instruction of the future civil force of the country—the children of mechanics and labourers? The judges are paid high salaries to pronounce sentence on criminals; why not pay a competent remuneration to persons qualified to teach youth to abstain from crime? Millions have been expended to erect gaols; why not devote an equal amount to building schools? But, alas! the rulers of nations have paid scarcely any attention to the moral and intellectual culture of the population: they have reared the people as savages, and then punished them for not being civilized; they have familiarized them with the sight of public executions, and then reproached them with being lawless and blood-thirsty; they have neglected to cultivate the rational principles of action, and then hanged their citizens for obeying the impulses of the animal passions.

Criminal jurisprudence has been hitherto founded on a complete perversion of justice. We define justice to be the reciprocal interchange of equivalents. The sportsman breaks in his dog before he expects him to find game; the huntsman trains his horse before he rides him in the chase; the farmer tills and dresses his land before he expects to reap a crop. Now all these operations are educational, and they involve the idea of justice. Without the previous labour, no beneficial result could be obtained, nor is any indeed ever expected by the sportsman, the huntsman, or the farmer. They might, in fact, as rationally expect that the effect would precede the cause. Why then should we not apply similar principles to human nature? Why should we not recognize the injustice of demanding good order from the ignorant, without teaching them their duties? And if we do admit the injustice of such a system, why not forthwith and energetically insist on the legislature establishing a solid and comprehensive plan of national education?

We have more than once heard a criminal, after sentence, remonstrate with the judge against the infliction of punishment, defending himself on the plea of being ignorant of the law; to which the judges invariably reply: "You were bound to know the law," an answer which we have always felt as most taunting and most unfeeling. How are these poor wretches to learn a system, which it requires the undivided study of a long life to comprehend? And when the judges pronounce sentence, they usually tell the culprit that "he is unfit to live in this world, and must

forthwith prepare for another ;" a sentiment most unchristian, as if men too sinful to remain in this wicked world, were in a condition to be launched into eternity.

That severity of punishment is inoperative to repress crime is no new doctrine. It was lamented by the great Lord Coke, in his days. We must endeavour to take away the *motives* and *inducements* to crime, by diffusing knowledge, and thus raising the moral standard of the people. We shall close these brief remarks by citing the opinion of Lord Coke, introduced into the Epilogue to his Third Institute.

" True it is that we have found, by woful experience, that it is not frequent punishment that doth prevent like offences ; *Melior est enim Justitia verè præveniens, quam severe puniens*, agreeing with the rule of the physician, for the safety of the body, *Præstat cautela, quam medela* ; and it is a certain rule, that, *videbis ea sæpe committi, quæ sæpe vindicantur*, those offences are often committed which are often punished ; for the frequency of the punishment makes it so familiar, as it is not feared. For example, what a lamentable case it is to see so many Christian men and women strangled on that cursed tree of the gallows ? insomuch, as if in a large field a man might see together all the Christians that, but in one year, throughout England, came to that untimely and ignominious death—if there were any spark of grace or charity in him, it would make his heart to bleed for pity and compassion.—But the consideration of this preventing justice were worthy of the wisdom of parliament ; and in the mean time expert and wise men to make preparation for the same, as the text saith, *Ut benedictus sis Dominus*. Blessed shall he be that layeth the first stone of the building, more blessed that proceeds in it, most of all that finisheth it, to the glory of God, and the honour of our king and nation."

A PORTRAIT OF JULIUS CÆSAR, BY A MODERN PHILOSOPHER.

If, after the lapse of eighteen centuries, the truth may be published without offence, a philosopher might, in the following terms, censure Cæsar without calumniating him, and applaud him without exciting his blushes.

Cæsar had one predominant passion,—it was the love of glory ; and he passed forty years of his life in seeking opportunities to foster and encourage it. His soul, entirely absorbed in ambition, did not open itself to other impulses. He cultivated letters, but he did not love them with enthusiasm, because he had not leisure to become the first orator of Rome. He corrupted the one half of the Roman ladies, but his heart had no concern in the fiery ardour of his senses. In the arms of Cleopatra, he thought of Pompey ; and this singular man, who disdained to have a partner in the empire of the world, would have blushed to have been for one instant the slave of a woman.

We must not imagine that Cæsar was born a warrior, as Sophocles and Milton were born poets, for if nature had made him a citizen of Sybaris, he would have been the most voluptuous of men. . If in our days he had been born in Pennsylvania, he would have been the most inoffensive of quakers, and would not have disturbed the tranquillity of the new world. The moderation with which he conducted himself after his victories, has been highly extolled ; but in this he shewed his penetration, not the goodness of his heart. Is it not obvious, that the display of certain virtues is necessary to put in motion the political machine ? It was requisite that he should have the appearance of clemency, if he desired, that Rome should forgive him his victories. But what greatness of mind is there in a generosity which follows on the usurpation of supreme power ? Nature, while it marked Cæsar with a sublime character, gave him also that spirit of perseverance which renders it useful. He had no sooner begun to reflect than he admired Sylla, hated him, and yet wished to imitate him. At the age of fifteen he formed the project of being dictator. It was thus that the President Montesquieu conceived, in his early youth, the idea of the spirit of laws.

Physical qualities, as well as moral causes, contributed to give strength to his character. Nature, which had made him for command, had given him an air of dignity. He had acquired that soft and insinuating eloquence which is perfectly suited to seduce vulgar minds, and had a powerful influence on the most cultivated. His love of pleasure was a merit with the fair sex ; and women, who even in a republic can draw to them the suffrages and attention of men, have the highest importance in degenerate times. The ladies of his age were charmed with the prospect of having a dictator, whom they might subdue by their attractions. In vain did the genius of Cato watch for some time to sustain the liberty of his country. It was unequal to contend with that of Cæsar. Of what avail were the eloquence, the philosophy, and the virtue of this republican, when opposed by a man who had the address to debauch the wife of every citizen whose interest he meant to engage ; who, possessing an enthusiasm for glory, wept because, at the age of thirty, he had not conquered the world like Alexander ; and who, with the hauteur of a despot, was more desirous to be the first man in a village, than the second in Rome. Cæsar had the good fortune to exist in times of trouble and civil commotions, when the minds of men are put into a ferment, when opportunities of great actions are frequent, when talents are every thing, and those, who can only boast of their virtues, are nothing. If he had lived an hundred years sooner, he would have been no more than an obscure villain, and, instead of giving laws to the world, would not have been able to produce any confusion in it.

• I will here be bold enough to advance an idea, which may appear paradoxical to those who weakly judge of men from what they achieve, and

not from the principle which leads them to act. Nature formed in the same mould Cæsar, Mahomet, Cromwell, and Kouli Khan. They all of them united to genius that profound policy which renders it so powerful. They all of them had an evident superiority over those by whom they were surrounded ; they were conscious of this superiority, and they made others conscious of it. They were all of them born subjects, and became fortunate usurpers. Had Cæsar been placed in Persia, he would have made the conquest of India ; in Arabia, he would have been the founder of a new religion ; in London, he would have stabbed his sovereign, or have procured his assassination under the sanction of the laws. He reigned with glory over men whom he had reduced to be slaves ; and under one aspect he is to be considered as a hero—under another, as a monster. But it would be unfortunate indeed for society, if the possession of superior talents gave individuals a right to trouble its repose. Usurpers, accordingly, have flatterers, but no friends ; strangers respect them ; their subjects complain and submit : it is in their own families that humanity finds her avengers. Cæsar was assassinated by his son,* Mahomet was poisoned by his wife, Kouli Khan was massacred by his nephew, and Cromwell only died in his bed, because his son Richard was a philosopher.

Cæsar, the tyrant of his country ; Cæsar, who destroyed the agents of his crimes, if they failed in address ; Cæsar, in fine, the husband of every wife, and the wife of every husband ; has been accounted a great man by the mob of writers. But it is only the philosopher, who knows how to mark the barrier between celebrity and greatness. The talents of this singular man, and the good fortune which constantly attended him till the moment of his assassination, have concealed the enormity of his actions. Because the successors of Cæsar adopted his name, we must not conclude that they regarded him as a hero ; they only considered him as a founder of a monarchy. This name was not the symbol of greatness of mind, but of power. The sovereigns of Rome were afraid to assume the title of king, because it had too much meaning, in the opinion of the people : they adopted that of Cæsar, which had no meaning ; and thus the Cæsars became greater than kings.

Besides, the sovereigns of Rome assumed the name of Augustus, and we cannot possibly imagine that, by doing so, they proposed to do homage to the memory of that detestable prince. Could that accomplished philosopher, who succeeded Antoninus, take Octavius Cephass for the model of his conduct ? What relation is there between the sublime soul of a sovereign, the disciple of Zeno, and the atrocious mind of a tyrant, whose destructive policy had made despicable slaves of those Romans whose fathers he had butchered ? Had he any occasion for the name of Augustus ? Had he not that of Marcus Aurelius ?

I respect highly genius and talents ; but, if a Cæsar should arise in any

* Brutus was his son by adoption.

of our modern republics, I would advise its magistrates to lead him to the gibbet. If such a man should appear in a monarchy like that of England, it would be prudent to confine him in the tower. He should receive no protection but under an absolute government, and there he might rise to be an excellent despot.

ON NATURAL BEAUTY.

THAT sensibility to beauty, which, when cultivated and improved, we term taste, is universally diffused through the human species; and it is most uniform with respect to those objects, which, being out of our power, are not liable to variation from accident, caprice, or fashion. The verdant lawn, the shady grove, the variegated landscape, the boundless ocean, and the starry firmament, are contemplated with pleasure by every attentive beholder. But the emotions of different spectators, though similar in kind, differ widely in degree; and to relish with just delight the enchanting scenes of nature, the mind must be uncorrupted by avarice, sensuality, or ambition; quick in her sensibilities; elevated in her sentiments; and devout in her affections. He, who possesses such exalted powers of perception and enjoyment, may almost say, with the poet:

I care not, Fortune! what you me deny;
 You cannot rob me of free Nature's grace;
 You cannot shut the windows of the sky,
 Thro' which Aurora shews her brightening face;
 You cannot bar my constant feet to trace
 The woods and lawns, by living stream, at eve;
 Let health my nerves and finer fibres brace,
 And I their toys to the great children leave;
 Of fancy, reason, virtue, nought can me bereave.*

Perhaps such ardent enthusiasm may not be compatible with the necessary toils, and active offices, which Providence has assigned to the generality of men. But there are very few to whom some portion of it may not be advantageous; and, if it were cherished by each individual in that degree which is consistent with the indispensable duties of his station, the felicity of human life would be considerably augmented. From this source, the refined and vivid pleasures of the imagination are almost entirely derived, and the elegant arts owe their choicest beauties to a taste for the contemplation of nature. The vulgar indeed look no further than to scenes of culture and the produce of husbandry, because all their views terminate in mere pecuniary profit. They only remark that this is fine barley, or that is prime clover; as an ox or an ass would inform us, if they could speak. Persons of this character would equally admire a

* Thomson's *Castle of Indolence*.

book for its binding, or a picture for its frame. But the liberal have nobler views, and though they give to agriculture its due praise, they can be delighted with natural beauties, where farming was never known.

Ages ago men of taste and sensibility have celebrated with enthusiastic rapture "a deep retired vale, with a river rushing through it; a vale having its sides formed by two immense and opposite mountains, and those sides diversified by woods, precipices, rocks, and romantic caverns." * Such was the scene produced by the river Penuës, as it ran between the mountains Olympus and Ossa, in that well-known classical vale, the Thessalian Tempe.

Virgil and Horace, the first for taste among the Romans, appear to have been enamoured with beauties of this character. Horace prayed for a villa, where there was a garden, a rivulet, and above these a little grove.

Hoc erat in votis, modus agri non ita magnus,
Hortus ubi, et tecto vicinus jugis aque fons
Et paulum silvæ super his foret. SAT. VI.

Virgil wished to enjoy rivers, and woods, and to be hid under immense shade in the cool valleys of Mount Hæmus.

— O ! qui me gelidis in Vallibus Hæmi
Sistat, et ingenti ramorum protegat umbra.
GEORG. II. v. 496.

The great elements of this species of beauty, according to these principles, were water, wood, and uneven ground; to which may be added a fourth, to wit, lawn. It is the happy mixture of these four that produces every scene of natural beauty, as it is a more mysterious mixture of other elements (perhaps as simple and not more in number) that produces a world or universe.

Virgil and Horace having been quoted, we may cite, with equal truth, our great countryman, Milton. Speaking of the flowers of paradise, he calls them flowers,

..... which *not nice art*
In beds and curious knots, but *nature boon*
Pours forth profuse on hill, and dale, and plain.
P. L. b. 4. v. 245.

Soon after this passage he subjoins :

..... This was the place
A happy rural seat, of *various view*.

* Est nemus Hæmonis, prærupta quod undique claudit
Silva; vocant Tempe. Per quæ Penæus ab imo
Effusus Pindo spumosis volvitur undis
Dejectaque gravi, &c. OVID METAM : lib. 1. v. 508.

A fuller and more ample account of this beautiful spot may be found in the first chapter of the third book of *Ælian's Various History*.

Milton explains this variety by recounting the lawns, the flocks, the hillocks, the valleys, the grottos, the water falls, the lakes, &c., and in another passage, describing the approach of Raphaël, he informs us that this divine messenger passed

..... Through groves of myrrh,
And flowering odours, cassia, nard, and balm,
A wilderness of sweets; for Nature here
Wanton'd as in her prime, and played at will.
Her virgin fancies, pouring forth more sweet
Wild above rule or art, enormous bliss. P. L. IV. v. 292.

The great masters in painting seem to have felt the power of these elements, and to have transferred them into their landscapes with such amazing force, that they appear not so much to have followed as to have emulated nature. Claude de Lorraine, and Salvator Rosa, may be called superior artists in this exquisite taste. In the art of landscape gardening, the French are far behind the English. The walks at Versailles, for example, are totally spoilt by their stiffness, formality, and sameness. How insignificant and tame do they appear, when contrasted with the scenery of Windsor. Contrast the Luxembourg with Kensington gardens, or the Champs Elysées with Regent's Park, and the palm of pure taste must be conceded to the English.

Even in the darkest periods, when civilization has only spread its amenities among a choice few, the love of natural beauty has been cherished. How warmly does Leland describe Guy's Cliff in his old English mixed with Latin. "It is a place meet for the muses; there is sylence; a praty wood: antra in vivo saxo (grottos in the living rock); the river rolling over the stones with a praty noise." His Latin is more elegant. "Nemusculum ibidem opacum, fontes liquidi et gemmei, prata florida, antra muscosa, rivi levis et per saxa decursus, nec non solitudo et quies musis amicissima." Vacluse (Vallis Clausa) the favorite retreat of Petrarch, in the vicinity of Avignon, has been warmly praised by the poet. "It is a valley, having on each hand, as you enter, immense cliffs, but closed up at one of its ends by a semi-circular ridge of them; from which circumstance it derives its name. One of the most stupendous of these cliffs stands in the front of this semi-circle, and has at its foot an opening into an immense cavern. Within the most retired and gloomy part of this cavern is a large oval basin, the production of nature, filled with pellucid and unfathomable water; and from this reservoir issues a river of respectable magnitude, dividing, as it runs, the meadows beneath, and winding through the precipices that impend from above."

There never was a man, truly good and great, insensible to the beauties of nature, and who did not prize the composure of rural retirement. Horace, when he breaks forth into the following animated exclamation, seems to

regret the want of that heartfelt complacency which the bustle, pomp, and luxuries of imperial Rome could not afford.

O rus! quando ego te aspiciam, quandoque licebit
Nunc veterum libris, nunc somno et inertibus horis
Ducere sollicitæ jucunda oblivia vitæ.

No writer, however, ancient or modern, has so truly drawn the distinction between contemplative solitude and sdlitude arising from desertion, as Byron, in these exquisite verses so worthy of a poet and a philosopher, and in which he pays homage to the enchantments of natural beauty.

To sit on rocks, to muse o'er flood and fell,
To slowly trace the forest's shady scene,
Where things that own not man's dominion dwell,
And mortal foot hath ne'er, or rarely been;
To climb the trackless mountain all unseen,
With the wild flock that never needs a fold;
Alone o'er steeps and foaming falls to lean;
This is not solitude; 'tis but to hold
Converse with nature's charms, and view her stores unroll'd.

But 'midst the crowd, the hum, the shock of men,
To hear, to see, to feel, and to possess,
And roam along, the world's tired denizen,
With none who bless us, none whom we can bless;
Minions of splendour shrinking from distress!
None that, with kindred consciousness endued,
If we were not, would seem to smile the less
Of all that flattered, followed, sought, and sued;
This is to be alone; this, this is solitude!

THE LATE TAX QUESTION.

THE lively interest excited among the whole population of Guernsey on the subject of local taxation, induces us to give a copious report of the arguments adduced before the judicial Committee of His Majesty's Privy Council in the late case of Carré William Tupper, esq., and others, versus the Constables of the town parish. We have now before us the printed cases both of the appellants and respondents, with their respective appendices, and as they contain much valuable matter, both of historical and financial interest, their substance deserves to be recorded in a permanent form, for future reference.

The appellants were sentenced to pay their proportion of parochial taxes estimated on their funded property, by a judgment of the Royal Court of the 29d February, 1833, which judgment was based on a local ordinance passed on the 30th April, 1821. The appellants contended before the judicial Committee that the above-named ordinance was illegal and inoperative, both for want of the sanction of His Majesty in Council, and also as being an act beyond the jurisdiction of the Royal Court; and they further maintained, that there was no law in the island of Guernsey authorising the taxation of property in the British or Foreign funds.

The respondents answered, that the judgment of the Royal Court of the island

of Guernsey, of the 23d February, 1833, was conformable to the law and ancient custom of the island, and also, even supposing (which they denied) that the present mode of taxing and rating required modification, the law could not be altered or modified by any judge called upon to decide judicially, but that such change or modification must be made by applying to the proper insular authorities in the first instance, and in the event of redress not being obtained, by afterwards petitioning his most excellent Majesty in Council.

The case drawn up by the appellants is very feeble in argument, and indeed in some essential points it subverts their own position. Whoever prepared it seems to have confused himself with giving too loose an interpretation to the words *law*, *custom*, and *ordinance*. In the second page, they quote an answer transmitted by the Royal Court to the Privy Council, dated the 10th January, 1737, to the following effect: "My lords, we never pretended to be vested with the power and authority of making laws, and it is what neither we, nor our predecessors before us, ever assumed; but we beg leave to acquaint your lordships that this court has always, as well by the nature of our constitution as by virtue of sundry charters from the Crown and other express orders of council, deemed itself authorised and empowered to make regulations and set down such rules and methods as were necessary for the enforcing and putting in due execution the laws of this island."

We cannot see how this quotation could serve the cause of the appellants; for the ordinance of 1821, on which they were cast, was not a new law, in the proper sense of the phrase, but, as it even appears on the face of it, merely an act explanatory and declaratory of an ancient usage which had existed from time immemorial. Surely there is an obvious difference between the origination of a fresh edict and the promulgation of a certain form for carrying into effect an established custom! In the nineteenth article of the ordinance of 1821, there occurs the following passage, and, curious enough, it has been cited by the appellants themselves: "The Court has judged, that in order to render the mode of taxation uniform in the different parishes, it was necessary to lay down the principle by which the custom of this island has been regulated, and having nothing in view but to follow the ancient custom, has found that it was established, First, that income or revenue was not taxed except it arose from capital; Secondly, that capital and effective properties were taxed, although producing no income." Hence it clearly follows that the ordinance was not a new law, but merely a more lucid interpretation of what had existed from the earliest periods. It does not, therefore, appear that the Court, in 1821, acted at all in contradiction to the opinions expressed by the Court, in 1737, in their letter to Council, for they merely affirmed the usage of the country, and it ought never to be lost sight of, that Guernsey is essentially "*pays coutumier*." Another passage in the appellants' case appears also to militate against their own views. "In the reign of king James the First, 1607, Sir Robert Gardiner and Dr. Hussey were sent out as commissioners to the island of Guernsey, to inquire into the grievances of the people: and, by their decision and judgment, confirmed by the king in council, upon a complaint brought before them, it is expressly required that all future taxation shall be made according to the ancient privileges, liberties, and *customs* of the island." Surely this very paragraph expressly sanctions the ordinance of 1821, which is based on custom.

The case of the respondents is prepared with great ability, and if it be objected that it is too long, and in some parts too prolix, it should be remembered that the judicial Committee had no previous knowledge of our local customs; and as the whole point at issue depended on usage, it was highly judicious to enter fully into details and particulars exclusively appertaining to the bailiwick. Accordingly, the

case commences with a brief summary of the constitution of Guernsey, describing the character and prerogatives of the States of Election and the States of Deliberation. It then proceeds to show that the Royal Court have had a right, from time immemorial, to enact local ordinances, and here the report clearly distinguishes between a new law and an ordinance. It is worded in the following terms: "The Royal Court has no power to abrogate any old, or to create any new, law, that authority being vested in his Majesty in Council; but the Royal Court can make any orders or ordinances, to enforce the observance of the existing laws, or to declare what the law and custom of the island are on any particular point, and also for the quiet and good government of the isle. These orders or ordinances are framed and promulgated in the most solemn court of the island, called the Court of Chief Pleas, which is entirely legislative, and is held three times in the year, in which his majesty's lieutenant-governor may be present, and whereat all the crown vassals do homage to the king.* These ordinances are passed after hearing his majesty's law officers, without whose conclusions or opinions no ordinance can be passed. An ordinance binds all the inhabitants. The Court, in its judicial capacity, cannot set it aside—on the contrary, it is bound to respect and enforce it, so much so, that, from time immemorial, all the public functionaries, from the lieutenant-governor to the assistant constables inclusively, on admission to office, swear they will observe the ordinances of the Royal Court and cause them to be observed. No appeal is admitted from any ordinance."

The truth of this statement is proved by various documents referred to in the appendix to the respondents' case, such as an extract from the commission of 11th March in the 6th Elizabeth; an extract from an order in council, 1680; an extract from the book called "*règlemens des commissaires royaux*," anno 1607; an extract from the charter of king Charles the Second, in the twentieth year of his reign; and by the form of the oaths taken by the governor, the constables, and the assistant constables. These documents completely upset the first position maintained by the appellants; to wit, "That the ordinance of 1821 was illegal and inoperative, both for want of the sanction of his Majesty in Council, and as being an act beyond the jurisdiction of the Court of Guernsey." For it is clear that the Court of Chief Pleas, not certainly the judicial court, have enjoyed the privilege of making ordinances, not in the character of purely new laws, but in the character of acts explanatory and confirmatory of old laws, based on usage. The question was thus narrowed into a smaller compass, and the only remaining point to be decided was this: Is the ordinance of 1821 in accordance with ancient custom, or is it not? If the affirmative be proved, then the appellants are wrong: if the negative be proved, then they are right.

The respondents next proceeded to explain to their lordships the three following points: 1. The description of property taxed or rated in Guernsey. 2. The character of a state tax. 3. The character of a parochial tax.—In reference to the first point they stated, that "All parochial wants in Guernsey are supplied by a property tax, as contra-distinguished from an income tax. The inhabitants are not rated at so many pounds sterling, but at so many quarters of wheat rent, each quarter at present supposed to be worth about £20; thus, a parishioner worth a capital of £400 would be rated at twenty quarters. That, from time immemorial, all taxes for parochial purposes had been raised on all property, real and personal,

* In the court of chief pleas all the constables attend under a penalty, so that the whole island is represented, and no judicial business whatever is transacted. The "*cour des chefs plaids*" is therefore a totally distinct body from the "*cour judiciaire*." Our readers must understand this as the theory of the constitution, for the attendance of the crown vassals is now wholly nominal, so that in fact, *mutato nomine*, the efficient power of making ordinances rests with the very same men who pronounce upon them judicially.

wheresoever situate, belonging to persons dwelling in the island; but in the year 1736, real property in England was excepted by a decision of their lordships, to which allusion will be presently made. Taxes or rates have since that time been levied on all property, both real and personal, within the island, and on all personal property in England, as well as on real and personal property in other countries than England, belonging to persons dwelling in the island."

The respondents next gave the following explanation of a state tax:—"The state tax is raised on all the inhabitants, for objects in which the whole island is interested, such as fortifications, sea-lines, the repairing the arms of the militia, public roads, watch-houses, and others of a like nature. State taxes have been, time out of mind, paid—one-third by the parish of St. Peter Port, and the remaining two-thirds by the nine country parishes, according to a rule or rate settled in times so ancient, that its origin cannot be discovered, and which is as follows:

The Town pays	One-third.	St. Saviour.....	One-ninth.
St. Sampson	One-thirtieth.	Torteval	One-thirtieth.
The Vale	One-thirteenth.	The Forest.....	One-twenty-fifth.
The Côtel.	One-ninth.	St. Martin	One-eleventh.
St. Peter-in-the-Wood ..	One-ninth.	St. Andrew	One-sixteenth."

The following statement explains the nature of the parochial tax:—"The parochial tax is that raised for parochial purposes *only*, and which purposes, in the town parish, may be comprised under the following heads: 1. The hospital or work-house. 2. The "*pauvres honteux*," (i. e. out-door poor,) who only require temporary relief, and are assisted at their houses by parochial officers, called in Guernsey "*collecteurs des pauvres*." 3. Strangers requiring relief; maintaining the public lamps and pumps; paying the corn rents due by the town; public ameliorations in the town parish; the salary of the surgeons who attend the poor in the hospital, and other contingent wants. The amount of property at which persons are rated is settled in each parish by the parishioners themselves, and consequently, is not uniform throughout the island. In town, each person possessed of ten quarters, equal to £900 in money; in Torteval, of five quarters; in the Côtel, of six quarters; and, in St. Andrew, of seven quarters, is assessed to the rates."

Having thus exhibited a general outline of the system of taxation adopted in the island from time immemorial, the respondents advert to the case of Mr. Stephens, who appealed to Council, in 1736, against a decree of the Royal Court of Guernsey, which sentenced him to pay taxes on his inheritance situate in London. The Privy Council granted him the prayer of his petition, and ordered "That the Royal Court do enquire and ascertain how much the appellant is taxed by the assessment in question, in respect of any houses, lands, or other *real or immovable* estate, lying in England, and do cause a proportionable deduction to be made out of the sum assessed." The appellants relied on this precedent, but it surely was not applicable to their case, for Stephens was exempted because his property was real and immovable; but money in the funds cannot be included under that definition. Indeed, the authority of Stephens himself was against the appellants, for, as the respondents justly remarked, "It is proved by the order, that the petitioner Stephens, offered to pay his proportion of all taxes legally raised, according to his proportion of all his inheritance in the island of Guernsey, and of his *personal* estate *there and every where else*, so that the difference in question was only whether, according to the plaintiff's demand, the petitioner ought to pay to the poor in the parish of St. Peter-Port, in Guernsey, in respect to his inheritance situate in London." The true reason why Stephens was exempted from paying parochial taxes in Guernsey on his real estate in London was, because such real estate paid

poor rates in the parish in London where it was situate, and it would have been an injustice to make him pay twice out of the same property; but this forms no argument for the appellants, who do not contribute out of their British funds one farthing towards the maintenance of the British poor.

The respondents next allude to a petition presented to the Royal Court, dated the 16th October, 1753, from the nine country parishes, praying for an alteration in the then existing mode of taxation. This petition is short, and has an historical interest, so that we make no apology for printing it at length.

"To Mr. the Bailiff and Messieurs the Jurats of the Royal Court of the Island of Guernsey, the humble Petition of John Guille, of St. George, authorised by and representing the parishes of St. Sampson, the Vale, the Côté, St. Saviour's, St. Pierre-du-Bois, Torteval, and the Forest; of James Andros, authorised by and representing the parish of St. Martin, and of Mr. John Le Mesurier, authorised by and representing that of St. Andrew.

"That the inhabitants of the said parishes have been for a long time wronged and overcharged, when public taxes are levied on the inhabitants of this said island. That when the rates of this island were founded and established, they were to all appearance in accordance with that equity and justice which should invariably be the rule of all states and communities. That the inhabitants of this island should be regarded as only one body, when it is necessary to levy public taxes, and consequently each inhabitant should pay his just proportion of public expenses. That, by rating each inhabitant according to the property he may possess when the tax is raised, justice would be done to all. That the town and parish of St. Peter-Port, which at present is only rated at one-third of the public taxes, should be at least rated at two thirds of the same. That the said country parishes of this said island, which pay two thirds of the said taxes, are not at present in a condition to pay one third of the same. The premises considered, your petitioners humbly pray the Court to change and rectify the said rates, in order that the above country parishes of this island may not hereafter pay more than their just proportion of the public taxes, which shall be levied on all the inhabitants. And they shall be bound to pay, &c."

This petition was taken into consideration by the Court on the 21st April, 1757, and it was decreed that the "Court having taken into consideration the petition of the above representatives, and, after hearing the king's officers thereon, find that the end thereof tends to change an ancient custom practised and used in this island from time immemorial."

This case was taken before Council, and among other points then depended upon by the respondents of that day, was an affidavit of thirteen inhabitants and domainiers, who severally, respectively, and voluntarily (*inter alia*) made oath:

"That it now is, and has always been, time out of mind, to the utmost of deponent's knowledge, belief, and remembrance, the constant rule and practice in levying and raising the taxes of the said parish, to tax the inhabitants thereof for whatever sums of money they have or had in the public funds in England, likewise their stock in trade at home and abroad. That they have always and constantly taxed all houses, magazines, and gardens in the said parish, (many of which are taxed at a very high rate,) although the proprietors of those houses reap no benefit or advantage by them besides their living in them, and that they have always taxed those houses, magazines, and gardens, to their full value or thereabout, and that during the present war, when any privateers belonging to this town brought a considerable prize, the owners of those privateers were taxed the immediate succeeding tax that was raised after those prizes were brought into this island, for the share or interest they had in those prizes, and according to the common

valuation that was made of those prizes, although the said owners could not, nor did not, realize or receive the amount of their interest in the said prizes till many months afterwards."

This case, however, was never finally adjudicated, for the Lords of the Council did no more than direct the States to draw up such a scheme of taxation on all the estates and properties as might appear just. This order of their lordships was discussed in the island, but the majority being of opinion that no modification of the old plan could be beneficially adopted, the whole matter fell to the ground.

The appellants refer to this petition of the nine country parishes and the rejection of it by the Royal Court, and they draw inferences from them which do not appear to us to be well warranted. It is to be remarked, in the first place, that the petition alludes to *public taxes*, by which must be understood state, and not parochial, taxes; and this is evident from the spirit and object of the petition itself, for, as has been shown, parochial taxes are levied in each parish, whereas the practice of rating St. Peter-Port at one-third and the nine country parishes at two-thirds only relates to state taxes. Now it was of *this proportion* that the country parishes complained, and of nothing else, and certainly they had no intention to exempt funded property, for, by so doing, they would have increased their own burthens. Besides, there is no analogy whatever between the two cases, for Mr. Tupper and his associates appealed against a *parochial* tax, while the appeal of 1756 was against the *pro rata* of a state tax.

No further complaints of the local system of taxation appear to have arisen from the date of the petition of the nine country parishes till the conclusion of the late war, when the subject was again brought forward. At that time a difference of opinion arose as to whether foreign funds should be rated at their nominal or real value; that is, whether an income of five pounds per annum in those funds should be rated at five quarters, or at the number of quarters, at twenty pounds sterling each, which such funds, if sold, would purchase. On the 25th of March, 1819, the manner in which taxes were to be raised, (chiefly owing to foreign funds,) whether on *capital* or *income*, was discussed: the majority of the Douzaine appearing to think they should be levied on income, and many parishioners on capital, the Court directed the parish to be consulted, and that the Douzaine should report the parish decision to the Court. The parish met in consequence, and decided that taxes were to be raised on *capital*, and not on *income*, and a report thereof was made to the Court by the Douzaine on the 21st April, who, in order to obtain more ample information before any thing was determined upon, ordered that the old douzainiers of the parish should be heard as to the custom on this point, and named eight ancient douzainiers, who had obtained their discharge, for that purpose. Those gentlemen (the eight ancient douzainiers) were heard on the 10th February, 1820, when the Court decreed "That the custom up to this time appearing to have been to tax funds, as well British as Foreign, on their respective incomes, and not on their capital, they should be so rated for the present; and the Court has been of opinion that a general regulation on the mode of taxation in this island for the time to come, which should embrace every case, is necessary."

A committee was named to report on the matter on the petition of the constables and douzainiers of the town parish, and they, after some remarks on the question of settlement, which are foreign to our present subject, made the following observations on the question of taxation:

"It now remains for your committee to advert to the mode of taxation, and to the principles which it has thought right to adopt on this subject. On a question that arose some time since in the town Douzaine, the Court took measures to obtain all the information possible. It ascertained, in the first place, that it was

the wish of the parish that *property*, and not *income*, should be taxed. It then ordered that all the old douzainiers out of office should be heard, and it appeared, from their declarations, that the income of money in the public funds had been taxed according to the amount of quarters of annual rent which that income represented, so that it had become a practice to regulate, from time to time, the number of quarters which thirty pounds, interest of money in the public funds, represented; because those funds being all, or nearly so, English funds, the difference from one to the other could never be considerable; but it further appeared, from the declarations of those gentlemen, that it had always been customary to tax houses, stores, and land, though untenanted and unoccupied, together with all stock, plate, household furniture, and generally every description of property, though producing no income; but that incomes arising from industry, the church, the army, public situations, pensions—in a word, all incomes not arising from some property, had *never* been taxed.

“It appears then certain: 1. That no income is ever taxed, unless it be founded either on some capital or on some other effective property. 2. That capital, and other effective property, is taxed, though it may yield no income. From all this—though there may have been some exceptions to the general rule—and indeed it is difficult to frame any rule that shall have no exception—one can hardly refuse acknowledging the evidence which is presented in favour of the general principle of our custom, or doubt that the real value of property of every description has alone formed the basis on which taxes have been levied in this island. It remains then but to determine what is the most equitable method of assessing taxes on that property; and in order to this, it may be proper to suppose certain ordinary cases, which have hitherto appeared to be attended with the greatest difficulty. Let us then suppose the case of four brothers, who each inherit one hundred quarters from their father. The first satisfies himself with receiving his hundred quarters annually at his door. The second disposes of his, and purchases English funds, which yield him four per cent. The third also disposes of his, and purchases foreign funds, which yield him eight per cent. The fourth also disposes of his, but places his money in a trade whose profits yield twelve per cent. Why should these four brothers, who begin life with the same fortune, be differently taxed? Why should the tax of one be double that of the other?”

“You have never dreamt of taxing the one who embarks his money in trade more heavily than him who receives his hundred quarters annually at his door, because, you will say, of the risk attending trade. But is not the investment in foreign funds, which yield a double interest, a species of trade? If these funds were free from risk, would not every person invest his money in them? And of what import to society are the purposes to which each individual chooses to apply his capital—or why should society fetter the employment of that capital by taxing one brother at two hundred quarters, whilst each of the three others is taxed but at one hundred? If but one brother out of four chooses to risk his money in foreign funds, are not the chances three to one that he, whose tax you would thus double, makes the worst choice? Wait until some of them have gained and accumulated, and you will then tax them for such gain or accumulation of property; but whilst it is doubtful which of the four brothers has acted wisely, do not tax one more heavily than the other. Let then the value of the whole property of each individual be estimated, and let that of the quarter of wheat rent be also fixed; the number of quarters represented by such will be the amount of each person's tax. Such is what appears to your committee at once the most simple, and the most equitable, system of taxation.”

At the chief pleas after Easter (30th April, 1821,) the Court, in the exercise of

its ancient and undoubted authority, took the report of the committee into consideration, and promulgated an ordinance declaratory of the ancient law and custom of this island on settlement and taxation. This ordinance is composed of twenty-four articles, not one of which introduces any new law; on the contrary, they are every one of them declaratory of the ancient laws and customs of the island, as enforced from time immemorial. The nineteenth article is thus worded. "The taxes of this island, for the maintenance of the poor and other wants of the different parishes, are levied upon their inhabitants, whose obligation to pay them is declared in the present ordinance. In regard to the mode of taxation which has heretofore obtained, and to the difference of opinion which has prevailed upon this subject between the parish assembly and the Douzaine of the town, and to the application made to the Court to make the necessary ordinances therein,—the Court has judged, that in order to render taxation uniform throughout the different parishes, it was necessary to define the principle which has governed the customs of the island upon this point, and being solely desirous of following the principles of the ancient custom, hath found the established custom to be: 1. Not to tax income which is not founded on capital. 2. To tax capital and all effective property, though it produce no income. The Court declares, therefore, conformably to the principles of the ancient custom of the island, that parochial taxes are levied upon the number of quarters of wheat rent which each inhabitant is possessed of, or which his capital or effective property, of whatsoever nature, (excepting only his real estate in England, in the island of Jersey, and in the adjacent islands of this bailiwick,) may be worth."

It was against a sentence of the Court, founded on this ordinance, that the appellants protested, and in adopting this course they acted most injudiciously, for they at once exposed themselves to a "*fin de non-recevoir*," that is to say, to be cast on demurrer. This the respondents clearly saw, for they argued; "in answer to the plea of illegality, that the Court, being assembled in its judicial capacity, were expressly bound by their oath of office to execute the laws, but could not change them," and in the answer of the Royal Court to the Lords of the Privy Council on the petition of the appellants, they observe: "How could the Court, it is humbly asked, grant an appeal on a sentence against which the only objection made was, that it was conformable to the law? The Court, in its judicial capacity, could no more deviate from the law than the Courts of Westminster from an express statute; and no court of appeal, called upon to pronounce a sentence well or ill-judged, whatever its opinion might be on the law itself, could say that sentence was ill-judged, if agreeable to the existing law." The respondents further contended, with irresistible argument, "That, if the appellants considered the ordinance of the 30th April, 1821, either illegal or oppressive, the law afforded them means of redress, which was by presenting a petition to the Royal Court, when assembled in its legislative capacity in Chief Pleas, pointing out the grievance, and praying it might be rectified; and, in the event of their not obtaining what they required, then complaining to His Majesty in Council."

Without entering into the merits of the question as a just or unjust mode of taxation, but viewing it simply as a question of law, it is obvious that the appellants had not a chance of success. But one most important consequence has resulted from this action, for the Bailiff and Jurats are now bound for ever, *on their own showing*, strictly to enforce the laws and ordinances of the island, never to play fast and loose with them, but to execute them consistently, firmly, and according to their spirit and tenor. Henceforward we look to a settled and regular and certain administration of justice, for all the loop-holes, and crannies, and chinks, are hermetically sealed and closed up, and every one may now pass con-

tracts and deeds without the slightest fear of their being either mangled or nullified. We have this assurance from the Royal Court itself, who have pledged themselves solemnly before the judicial committee of His Majesty's Privy Council never to swerve from this rule, for they have affirmed that "The Court, in its judicial capacity, could no more deviate from the law than the Courts of Westminster from an express statute." Hear it, people of Guernsey, and rejoice that henceforward the glorious certain uncertainty of law in this bailiwick has received its death-blow from the hand of your own judges themselves.

We heartily rejoice at the decision of the judicial committee, because it was based on the principles of justice, and also, because an opposite sentence would have ruined many families instantly, and ultimately destroyed the prosperity of the island. We feel convinced that the appellants themselves, if they were to look at the remote consequences of their presumed success, would have regretted their triumph, and gladly reverted back to the ancient mode of taxation. We have not space in this number to discuss this matter financially, but we propose to do so in the next. Our present object has been to draw up an epitome of the system of taxation, from the earliest periods down to our days, with a brief summary of the recent proceedings, in the hope that this article may not only have a temporary interest, but be useful at any distant date for reference. We cannot, however, conclude without expressing our matured and decided conviction that the town parish is most inadequately represented in the States, and that justice requires an extensive change in this department, for, as the great Chatham said, in speaking on the American war, "Taxation without representation is tyranny." We refer our readers to a letter in this Magazine, signed "A Guernseyman," who puts forth a plan for consideration, and we shall be happy to receive additional contributions on the same subject, as the best interests of the island can never be so effectually promoted as by public discussion. We have no wish to shake the pillars of our insular constitution, or introduce rash and sweeping measures of reform, but we should recommend a quiet investigation of existing facts, and the adoption of such changes as the altered condition of the town and country in respect to wealth, intelligence, and population, may fairly and in justice demand.

TO THE EDITOR OF THE GUERNSEY AND JERSEY MAGAZINE.

SIR,—In view of the reported applications of Jurats for resignation, we cannot abstain from seeking for the cause: Is it that the duties are more irksome than formerly? that power has less charms? or that they themselves get more alive to the very important duties of their place? I believe that these are the chief reasons, and that they see, as well as the remainder of their countrymen, that what satisfied our fishing ancestors will not answer with their (I may say without vanity) highly civilised descendants. It is this cause also that, besides obliging present Jurats to demand their resignation, keeps a vast number of well-informed, conscientious individuals from standing as candidates, with, of course, the impossibility of retiring after having served a reasonable period. It cannot be too often repeated, the fault lies with the system, and not with our present rulers: their moderation and general good distribution of justice are duly appreciated, but where the system is bad, and men are not angels, it is only natural if faults are attributed to them.

It is less of our Jurats, as magistrates, that I would speak, than as only legislators at the Chief Pleas; members and leaders of all the committees; members of the States of Election, where they, with the Clergy, try frequently to have, and seem

offended when they have not, the initiative ; but more particularly as members of the States of Deliberation, when united with one half of the Clergy, *all irresponsible members*, they may defy the whole island, and vote away in an hour the revenue of years. It is the reunion of all this power on a dozen heads, with the moral, the only—although a strong—responsibility attached to it, that drives and keeps away from that office, or rather those offices, so many intelligent individuals. Sir, what I would come to is, that to render the holding of these places less irksome, they should be more justly divided : I join with you in your excellent observations on the late Billet d'Etat, that another body should form the deliberative States ; but I cannot come to the same conclusion. The States of Election are not the proper body to deliberate ; that plan would give too great a preponderance to the country, it having in those States one hundred and thirty votes, to the town's twenty-two, the remaining twenty-two being the court's, clergy's, and procureur's. I think, with due submission to others' judgment, that as good a plan as any I have seen, and one on which I have long meditated, is comprised in the letter hereto annexed, supposed to be written by a stranger in the year 1854, that appeared in one of the local papers two years ago, and which I take the liberty to reproduce, journals being often as soon forgotten as read.

"My dear Friend,—Having informed you of my arrival here, I have waited until I was sufficiently informed to be able to write with certainty. I have not alone collected my intelligence, as is too commonly the case, from two or three leading men, who will often give an interested view of the case, but I have talked with shopkeepers, that useful part of the community, now no longer regarded with disdain by petty officers and others of that stamp. I have spoken with farmers, all of whom can talk English, but prefer French, which I sufficiently understand to indulge them in. Approaching all these people with politeness and confidence, seated on the counter or leaning against the gate of a field, I have found them throughout well informed, interested in their politics, fond of explaining them to a stranger, and apparently proud of, but thankful to Providence for, the advantages they enjoy, and indeed they have a right to be so. I hardly know how to begin my account of the little *gouvernement modeste* of Guernsey. However, I shall begin with the States, or legislative and deliberative assembly. They are at present composed of twenty-six members, including the president, whom they elect by ballot, all serving without pay, and a secretary and treasurer also elected by them, who receives £300 a year out of the general revenue of the island. This body has the right of making new laws or amending the old, with the sanction of Government, after the projects or plans of laws have lain three months at the secretary's office, and been duly published and made known to the inhabitants. It deliberates on general matters, on being warned by its president a fortnight previous to the meeting, that the members may consult their constituents, if it is a question of great importance. It votes the public monies, and superintends the several committees of works : these committees are not taken out of its body. The members of these States are elected in the following manner : the parishes, ten in number, have each a right to as many members as they possess shares of fifteen thousand quarters or pounds sterling annual revenue, that is, each parish having less than £15,000 has a right to one member ; any parish having more than £15,000, and less than £30,000, has a right to two, and so on. Now, in the present States, six parishes have one member each, three parishes have two, and the town parish, possessing £200,000, has fourteen, making the twenty-six. The members are elected by ballot for three years, but at the first arrangement of this plan, it was so made up that there should be no general election ; the first members being for a period of three, two, and one year. The electors of these are every individual in possession of ten quarters or pounds sterling property of any kind,

goods, rents, and funded property (wherever it lay), and houses and land, in the island: this excellent system of taxation has been in use here for above a century, to the general satisfaction of the people, only a very few self-interested *Richards* having sought to overturn it, but happily without success.* It is by this plan also that all public monies are levied; the parochial expenses are separately voted and paid for by the parishioners; those of the States are voted by the members of that body, and the money raised generally over the island according to the means of individuals. They had here formerly a duty on spirits, but the ease with which money so produced could be voted, coming in appearance from nobody's pocket, having led, it appears, to vast enterprizes for their means, which they have had trouble enough to overcome, has rendered them wiser, and they have no more duties, except on shipping, for the original cost of their superb harbour, which will go on decreasing until it is paid with the help of a not heavy annual tax on the island, which will cover, it is expected, the whole expense in at most twenty years from its commencement; a slight duty on the *droit de chasse*, and on dogs, &c. And now, my dear friend, this letter having become somewhat lengthy, I shall close for the present, wishing you all happiness, &c."

Let it not be said that the above plan is impracticable, and that such a change would be injurious to our ancient privileges; on the contrary, nothing would strengthen them more. Who could be more active for the interests of their constituents than a body of responsible members, who would bring from all parts of the island the wants and wishes of the people in this assembly, where they would be amalgamated and made into laws for the general good of the whole; and, as to the practicability of operating this change, nothing can be easier with the sanction of His Majesty in Council. It would not be refused to a general demand on the part of the inhabitants, and especially with the good foundation we possess—the taxation according to the means of individuals. I would only add, that an uniform system should be adopted all over the island, that houses should be taxed in the country as well as in the town: for the past, it mattered little what was or was not taxed in each parish, as long as it was even for all parties, it having but its own poor or other private wants to maintain: as for the present, should some such plan be entertained, no man of common sense would dare assert that the old proportions† of our guarantee to the States should be maintained; that the town, with three-fourths of the property, should bear but one-third of the public burthens, whilst the country, with one-fourth, or at best one-third, with the houses taxed, should be subject to two-thirds of the expenditure. Would that our public men, high in office, saw the policy of advancing with the liberal and just opinions of the age. Would that our talented Bailiff himself had some ideas of the kind, and that, like another Fallero, ‡ he would conspire for the good of his country. Then our posterity should say—Under the *baillifut* of De Lisle, Brock our native isle was nearly ruined by the extensive works undertaken at once, but now that the trouble is past, they remain but as monuments of his glory! and yet what are they to the imperishable constitution we owe him!!

I am, Sir,

Without distinction of town or country,

A GUERNSEYMAN.

* I happened to be a true prophet.

† These proportions, or *rais* as they are called, are as follow: the Town, or St. Pierre-Port, one-third; St. Sampson, one-thirtieth; Valle, one-thirteenth; Côté, St. Sauveur, and St. Pierre-du-Bois, one-ninth each; Torteval, one-thirtieth; Forêt, one-twenty-fifth; St. Martin, one-eleventh; and St. André, one-sixteenth. Had the application to Council of Messrs. Le Marchant and Carey, in 1839, been entertained, and we had been obliged to liquidate the debt, £115,300, the town would have had not quite ss. in the pound sterling income to pay, and Torteval £4 sterling. The prison was built, I believe, according to those old *rais*.

‡ As painted by Byron. God forbid he should have the same ill chance; he would not have to work in the dark, nor would he have the bloody oligarchy of Venice to contend with.

REVIEW OF BOOKS.

FAMILY RECORDS; containing *Memoirs of Major-General Sir Isaac Brock, K. B., Lieutenant E. W. Tupper, R. N., and Colonel William De Vic Tupper; with Notices of Major-General Tupper and Lieutenant C. Tupper, R. N., to which are added the Life of Te-cum-seh, a Memoir of Colonel Havilland Le Mesurier, &c. &c. &c.*—By Ferdinand Brock Tupper, Esq.—London: Baldwin and Cradock.

THIS volume contains a series of biographical sketches of different members of the author's family, with a notice of Te-cum-seh, the celebrated Red Indian Chief. A copious appendix is annexed to the work, in which Mr. Tupper has collected with great care a variety of fugitive documents relating to the character and conduct of the subjects of his Memoirs. As a literary production, this volume is creditable to the author's talents. The style is chaste and vigorous; the narrative portion is judiciously arranged, and, with the exception of the "Visit of Indian Chiefs to George the Fourth," the facts recorded have much historical interest. But if we rightly appreciate the motives which led to this publication, they originated in a higher feeling than mere literary ambition, and we must, therefore, regard the Family Records as a tribute of affection to the memory of departed relatives. The Memoir on Colonel Tupper fully justifies this opinion, for the heart and soul of an attached brother breathes in every line.

The work is embellished with three beautiful lithographic sketches. The first represents the monument erected on Queenston Heights, in honour of that gallant soldier and excellent gentleman, Major-General Sir Isaac Brock, K.B. The second is a view of Good Harbour, in Candia, where Lieutenant Tupper, of His Majesty's frigate Sybille, was slain in attacking a party of Greek pirates. The third is a facsimile of a medal presented to one of the author's ancestors, in 1692, by William and Mary, in grateful and honourable remembrance of his devotion to the best interests of his country in passing through the French fleet, and conveying intelligence to Admiral Russell that Tourville was at sea.

The career of General Brock was short, but glorious, and he had the rare merit of shining equally in the cabinet as in the field. Adored by his own regiment, the gallant 49th, he was also deservedly popular among the natives of Canada, to whom he dealt out justice with an impartial hand. Had his life been prolonged, and the sphere of his usefulness been extended, there can be no doubt that he would have achieved a reputation inferior to none of his more fortunate brothers in arms. Intrepid as a soldier; incorruptible as a diplomatist; generous, frank, and affable as a man, he manifested all those qualities of head and heart which fitted him for command. The distinguishing features of his character were honour and benevolence, and he richly deserves the appellation of a great and good man. He appears to have imbibed the spirit of ancient chivalry, and this excess of military ardour deprived his country too soon of his valuable services. "When urged by some friends," says Mr. Tupper, "to be more careful of his person, he replied, How can I expect my men to go where I am afraid to lead them," a sentiment worthy of a hero, but which a general should moderate within the bounds of prudence.

Mr. Tupper thus narrates the fatal conflict in which the general lost his life:—"For some days the British commander suspected that the enemy meditated an attack, and the evening previously he called his staff together, and gave to each the necessary instructions. Agreeably to his usual custom he arose before daylight, and, hearing the report of cannon and musketry, directed Major-General Sheaffe to bring up the troops as soon as they were assembled. He then galloped eagerly from Fort George to the scene of action, and on his arrival there at a quarter before seven, found the flank companies only of the 49th regiment, with a few of the militia,

warmly engaged with the enemy. The light company, under Captain Williams, was on the road leading up the heights watching the enemy below, and the grenadiers, under Captain Dennis, the senior officer, were guarding the village and covering two three-pounders, whose fire swept the banks of the river. The general rode up the hill in front of the light company under a tremendous fire of artillery and musketry from the American shore. Soon afterwards the enemy gained possession, by a fisherman's pathway, of the summit of the heights, and the light company was compelled, by dint of numbers, to retreat slowly down the hill into the village of Oseonaton, where they formed across a street, while the grenadiers came up with the three-pounders, and formed on the right of the enemy. Sir Isaac Brock, observing the Americans to waver, ordered a charge, which he personally accompanied, but as they gave way, the result was not equal to his expectations. Retreating on their main body, the whole opened a heavy fire of musketry; and conspicuous from his dress, his height, and the enthusiasm with which he animated his little band, the British commander was soon singled out by their riflemen, whose celebrity for unerring aim was never more cruelly justified. While within pistol shot of the American lines, about an hour after his arrival, the fatal bullet entered his right breast, and passed through his left side. He lived only long enough to utter this dying exhortation: My fall must not be noticed, or impede my brave companions from advancing to victory; and then to express a wish that some token of remembrance, which could not be distinctly understood, should be transmitted to his sister. On the same day, a week previously, he had completed his forty-third year."

The virtues of General Brock were not only appreciated by his own soldiers and the natives of Canada, but were held in the highest esteem and admiration by his opponents, of which Mr. Tupper has recorded the following gratifying proof. The American commander, Major General Van Rensselaer, "in a letter of condolence, informed Major-General Sheaffe that immediately after the funeral solemnities were over on the British side, a compliment of minute guns would be paid to his memory on theirs. Accordingly, the cannon at Fort Niagara were fired, as a mark of respect due to a brave enemy." The president, Madison, in his annual message to Congress, acknowledged the great and useful talents of General Brock, and appears to have considered the loss of the battle as cheaply earned by the removal of so formidable a character. "Our loss," said Madison, "has been considerable, and is deeply to be lamented. That of the enemy, less ascertained, will be the more felt, as it includes among the killed the commanding general, who was also the governor of the province."

Mr. Tupper thus sums up the character of his distinguished relative: "Nature had been very bountiful to Sir Isaac Brock in those personal gifts which appear to such peculiar advantage in the army, and at the first glance the soldier and the gentleman were seen. In stature he was tall, erect, athletic, and well proportioned, although in later years his figure was perhaps too portly; and when a young man, at the head of his company of grenadiers, he attracted general observation by his martial presence. His fine and benevolent countenance was a perfect index of his mind, and his manners were frank, courteous, and engaging. . . . Elevated to the government of Upper Canada, he reclaimed the disaffected by mildness, and fixed the wavering by argument; and having no national partialities to gratify, that rock on which so many provincial governors have split, he meted equal favour and justice to all. British-born subjects soon felt convinced that with him their religion or their birth-place was no obstacle to their advancement. Even over the minds of the Indians Sir Isaac Brock gained an ascendancy altogether unexampled, and which he judiciously exercised for purposes conducive equally to the cause of humanity and to the interests of his country. He engaged them to throw aside the scalping knife, implanted in their breasts the virtues of clemency and forbearance, and taught them to feel pleasure and pride in the compassion extended to a vanquished enemy. . . . Of all the good qualities which adorned this accomplished soldier, none was more prominent than his decision, and it was ever under the guidance of a

sound judgment. His strong attachment to the service, and particularly to his regiment, formed another distinguishing feature in his character. There was a correspondence of regard between him and his officers, and even the non-commissioned officers and privates, that produced the picture of a happy family. Those extremities of punishment, which the exactions of discipline will sometimes occasion, rarely reached his men. He governed them by that sentiment of esteem which he himself had created, and the consolation was given him to terminate a brief but brilliant course in the midst of his professional family. They performed his last obsequies, and those who knew the commander and his men will be convinced that, on the day of his funeral, there was an entire detachment in tears."

This is high praise; but though it be the testimony of a friend and relation, we conscientiously believe that it is honestly deserved. Let all young officers cherish the same sentiments as General Brock, and never separate the soldier from the citizen, the Christian from the commander. Such a moral reformation may put an end to the brutal practice of military flogging, and our officers will soon be convinced, even after a very short experiment, that their men will be easily led by a thread of silk, when they cannot be driven by a rod of iron.

We now proceed to the Memoir of William De Vic Tupper, who held the rank of colonel in the Chilian service. His career was short, and terminated in a most cruel death. Whoever reads this biographical sketch will feel with us that an unpropitious destiny threw this brave and enterprising young man into foreign service, whereas had he obtained, what he ardently desired, a commission in the British army, he might still have been spared to his family and friends. But it was otherwise ordained; and his talents, and courage, and finally, his life, were all sacrificed in promoting the independence of an ungrateful, vacillating, and ungenerous people. In dying the death of a soldier, De Vic Tupper, however, only experienced the fate of his family, for on sea and land an unusual number of them have fallen in defence of their country.

The subject of this Memoir left Guernsey in 1821, and arrived at Santiago, a mere soldier of fortune, without a single letter of introduction to those in authority. But genius and enterprize, as Bacon has truly said, will either find a road or make one. Young Tupper was a good linguist: his personal appearance, highly prepossessing; and the chivalry of his character soon procured him friends. He was requested by Colonel Beauchef to accompany him in an expedition against the revolted garrison of Valdivia, and he seized this first opportunity of displaying his courage in making prisoner, with his own hands, one of the ringleaders, and bringing him captive to the boat. He was immediately appointed captain of the grenadier company, a promotion which did honour to the perspicacity and judgment of Colonel Beauchef. He next served under General Ramon Freire, who turned out to be his evil genius, in an attack on the island of Chiloe, in which he displayed the most spirited valour, when his men were surprised by an ambuscade, and in which encounter Captain Tupper was wounded in the left side by a bullet, and also in his leg by the thrust of a bayonet.

When General Pinto declined the office of president in 1820, an event which caused all the future calamities of the country, General Prieto, one of the greatest ruffians that ever disgraced humanity, under the pretext of recalling the exiled Director O'Higgins, but really to promote his own treacherous designs, marched his troops on the capital. When General Freire attempted to assume the command of the garrison of Santiago, they refused to obey his orders. A most serious disturbance was on the eve of breaking out, but the decision and courage of De Vic Tupper, then colonel of battalion No. 8, fortunately averted this calamity. Freire had introduced himself into the barracks, and was haranguing the soldiers, when Tupper arrived. "Addressing them in Spanish, he spoke briefly to this effect: Soldiers! the captain-general has led you to victory—your colonel has also led you to victory; whom do you obey—your colonel or General Freire? The whole battalion instantaneously responded as one man, We obey our colonel—Viva el Coronel Tupper."

If the reader considers that Freire was a native, and Tupper a foreigner—that the former had been president, and still possessed the supreme military rank, and moreover, that he was a favourite with the troops—he will readily admit that no more convincing proof could be adduced of the respect and attachment which Tupper's conduct had secured, as well as of his own courage and fearless presence of mind.

When General Prieto threw off the mask, and appeared in open revolt, Colonel Tupper determined to support the government and Congress, and served under the command of General Freire. A battle ensued in which Prieto was defeated, but he had the address to delude Lastra and Viel, the first and second in command, after the engagement, and having decoyed them into his quarters under the pretence of signing an armistice, he declared they were his prisoners. He tried the same insidious trick on Tupper, but the wary Guernseyman was not to be overreached. Prieto then requested Lastra to sign a document, to the effect that Tupper should surrender with his battalion. Whether Lastra complied or not appears to be uncertain, but Tupper replied to the message he received that he would not go over, and insisted on the restoration of his companions in arms. Prieto at first disregarded this summons, but when Tupper threatened to attack him, he at once gave up his prisoners. This is another gratifying proof of Tupper's honourable character and determined resolution.

His attack on the *Achilles*, a very large 20-gun brig, is an additional instance of his daring and chivalrous spirit. It was reported at Santiago that he was slain in this enterprize, and his cowardly enemies manifested at once their own baseness and their sense of his merits by lighting bonfires in the streets, while at Valparaiso they had the unheard-of barbarity to proceed to the lodgings of his wife, and proclaim aloud the fate of her husband.

The battle of Lircai decided the question of supremacy between Freire and Prieto, and terminated in death the adventurous career of Tupper. Freire committed the grossest military blunder in accepting an engagement and coming forward on the open plain from the strong position of Talca, when his army was vastly inferior in cavalry. We extract the following particulars from the Memoir of the barbarous and unsoldier-like conduct of Prieto's Myrmidons. "Colonel Tupper is said to have exhibited the most reckless valour during the day, and to have rallied his little battalion several times. Thrice he led it to the charge, and in the last charge he was slightly wounded in the foot by a spent ball. Having previously dismounted to encourage his men, he was unable, in the *mélée* which succeeded, to find his horse; and the accounts of the manner in which he got away, when all was lost, are so contradictory, that it is impossible to reconcile them. All agree, however, in stating that he was particularly sought after, and that a Major Baquedano gave orders to his dragoons to show him no quarter. A party of these dragoons and some Indians overtook him, and finding that they would not spare his life, he reproached them with their brutality, and drew his sword to defend himself; but being surrounded, an Indian from behind ran him through the body with his lance, when he fell, and a few sabre cuts soon terminated his sufferings. One of the barbarians immediately severed a finger, on which the victim wore a ring, and conveyed it to his commander as a proof that one whom they so much dreaded, would trouble them no more. A Captain Garcia, of Baquedano's regiment, who was also promoted after the battle, stood by during this barbarous murder, without interfering to prevent it."

Thus perished, in the flower of his age, this gallant and high-spirited man, and though his deliberate massacre in cold blood harrows up our feelings, yet the very fact itself is the highest testimony that his enemies could have paid to his skill, intrepidity, perseverance, and abilities. He was sacrificed to the *fears* of Prieto, who justly considered him the sword and buckler of the irresolute and vacillating Freire.

We have only space slightly to allude to the notice on *Te-cum-seh*, contained in the Appendix. This Indian warrior, of the Shawanee tribe, was born in 1770, and attached himself to the interests of Great Britain during the war with the United States. "He was undoubtedly," says Mr. Tupper, "the greatest chief since the

days of Pontiac," who flourished in the time of General Wolfe. In early life he was addicted to inebriety, the prevailing vice of the Indians, but his good sense and resolution conquered the habit, and, in his later years, he was remarkable for temperance. In height he was five feet ten inches, well formed, and capable of enduring fatigue to an extraordinary degree. His carriage was erect and commanding, and there was an air of hauteur in his countenance, arising from an elevated pride of soul, which did not forsake it when life was extinct. He was present in almost every action against the Americans, from the period of Harmer's defeat to the battle of the Thames—was several times wounded—and always sought the hottest of the fire. He was slain in his forty-fourth year, and after the victory, his lifeless corpse was viewed with great interest by the American officers, who declared that the contour of his features was majestic even in death. It is asserted that some of the Kentuckians disgraced themselves by committing indignities on his dead body, and that he was scalped; and otherwise disfigured. It has been, moreover, affirmed by a writer in the *Quarterly Review*, published in July, 1822, that "the skin was flayed from his lifeless corpse, and made into razor straps, one of which the late Mr. Clay, of Virginia, a member of the American legislature, prided himself in possessing." This is too horrible for us to believe, and certainly it depends on very doubtful evidence, for the conductors of the *Quarterly* have pointedly indulged in the grossest calumnies and the most unblushing falsehoods to vilify the institutions of America, to sneer at its literature, and satirize the manners, customs, and character of our republican brethren.

Te-cum-seh was warmly attached to General Brock, whose mildness in private and intrepidity in the field, had won the esteem and admiration of the Indian warrior. Previously to General Brock's crossing over to Detroit, he asked Te-cum-seh what sort of a country he should have to pass through, in case of his proceeding farther. Te-cum-seh, taking a roll of elm-bark, and extending it on the ground by means of four stones, drew forth his scalping knife, and, with the point, presently etched upon the bark a plan of the country, its hills, woods, morasses, and roads; a plan which, if not as neat, was, for the purpose required, fully as intelligible, as if Arrow-smith himself had prepared it. Pleased with this unexpected talent in Te-cum-seh, also with his having, by his characteristic boldness, induced the Indians, not of his immediate party, to cross the Detroit, prior to the embarkation of the regulars and militia, General Brock, as soon as the business was over, publicly took off his sash, and placed it round the body of the chief. Te-cum-seh received the honour with evident gratification; but was, the next day, seen without the sash. General Brock, fearing that something had displeased the Indian, sent his interpreter for an explanation. The latter soon returned with an account, that Te-cum-seh, not wishing to wear such a mark of distinction, when an older, and, as he said, abler, warrior than himself was present, had transferred the sash to the Wyandot Chief, Round Head. Such a man was the unlettered savage Te-cum-seh. He left a son, who, when his father fell, was about seventeen years old, and fought by his side. George the Fourth, when Prince Regent, in 1814, out of respect to the memory of the old, sent out as a present, to the young Te-cum-seh, a handsome sword. The son is not considered to possess the talents or virtues of his father, and consequently possesses scarcely any influence over his countrymen.

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ON THE NATURE AND OBJECT OF POLITICAL GOVERNMENT.

If man were living in that pure state of innocence which preceded the fall, he would spontaneously obey the dictates of natural law. But he has lost that privilege; therefore, for all purposes of practical utility, he must be considered in his actual state of moral imperfection.

Against our vicious propensities and evil habits, the natural law can only oppose the admonitions of virtue, and the murmurs of conscience. The passions rebel against reason, and disdain its authority. Present interest determines our resolves, while the more remote consequences of actions are disregarded. Moral honesty is lost sight of, and benevolence laughed at as a weakness. The universal rights of property are frittered away, to support what are called "vested interests." The universal rights of liberty are capriciously curtailed, to confer assumed power on usurped authority. The universal rights of equality are trampled upon that an aristocracy may be raised on their ruins. The universal rights of security are reduced to a dead letter, by the delay and expense of legal proceedings.

To prevent the fatal effects of these violations of natural law, it is indispensable that men should lend them the sanction of some external power, proceeding from themselves. It is necessary to promulgate their existence,—to explain their scope, character, and tendency,—to make known the consequences of their infraction,—to apply them to the general and private interests of an associated community,—and to cause them to be respected and obeyed, under pain of punishment. The creation of this external power constitutes political government, and the instruments by which the object contemplated is accomplished, are called positive laws.

A question here arises: Do these institutions thwart or contradict the natural law, which emanates from God, and is therefore the only law which man is bound to obey? The answer is decidedly in the negative, provided those institutions are properly framed; and the only way

properly to frame them, is to make them subservient to the natural law, which they ought, as it were, to protect and guarantee. All positive laws, therefore, enacted by man, must be considered as executive instruments of natural law, which is the declaration of the divine will. Consequently, the only standard by which legislation can be tested, is, by observing whether it accords with, or militates against, the principles of natural law.

The origin of society is purely a question for the schools. Practical science takes no interest in the various theories that have been formed concerning the social contract. We all know, as an observed fact, that political society exists, and in the nature of things we are satisfied that it will continue to exist. What it imports us to be well assured of is, from what source legitimate authority, in matters of government, ought to flow.

The condition of family relationship excepted, in which natural law subjects children to their parents, so long at least as they cannot provide for themselves, all mankind are equal among each other, by virtue of that common humanity which constitutes their essence, and which does not command any one to be dependent on another. So far, God is the only sovereign whom all are bound to obey. Now, God has not announced any particular individual, or any particular class of individuals, in any given community, as his representative or vicegerent; therefore, no ruler or rulers, can truly plead divine right.

Neither does legitimate authority consist in power gained by force or cunning, which is pure usurpation: for the law which creates such authority can destroy it, it being the law of the strongest and subtlest.

Authority acquired by descent is utterly absurd, as virtue and intelligence are incommunicable and intransmissible. Such a scheme supposes that physical organization is superior to mental organization. A man may bequeath the scrofula or the gout to his posterity, but the secret of transmitting legislative sagacity, like the philosophers' stone, is yet to be discovered.

Rejecting therefore *divine right*, *usurpation*, and *descent*, as legitimate sources of authority, and bearing in mind that, according to natural law, all men are absolutely equal, it results that the only foundation of legitimate power is the consent of the people, either formally expressed or tacitly implied. This constitutes the social contract, from which this primary fundamental principle is deduced: *That the whole must protect all the parts, and that each of the parts must obey the whole*: or, in other words, the community must defend the rights of all its members, in return for which protection, each individual must submit to the laws enacted by the representatives of the community. Such is the true basis of political society, stripped of all the disguise which party zeal has thrown around the question.

All power, no matter what the form of government may be, is either *assumed* or it is *delegated*; if the former, it is usurpation; if the latter, it

is a trust. Now, the fundamental principles of constitutional government demand the recognition of delegated power in contradistinction to assumed power, because all the authorities of a state ought to be held and exercised in trust for the people, from whose assent, either expressed or implied, all sovereignty is derived. No political institutions can be permanent which militate against this principle, which is in accordance with natural law : on the contrary, they would carry with them the seeds of their own destruction. Assumed power, being based on usurpation, is precarious in its tenure, because it is daily exposed to the aggressions of every daring adventurer : but, delegated power, resting on public consent, possesses all the qualities of permanency, because every citizen has an immediate interest in its preservation. The conspiracies which have affrighted cabinets ; the civil wars which have decimated nations ; the revolutions which have subverted thrones ; all the criminal outrages on humanity, whether perpetrated by corrupt legislators, bribed judges, or military tyrants, have arisen out of the attempt to perpetuate the principle of assumed and irresponsible power.

If a community were so limited in their numbers, and the territory in which they lived so contracted, that the vote of each member could be received from his own lips, in such a case there would be no necessity for delegation ; but this being practically impossible among a population of millions, the many must select a few to administer the affairs of government. But the sovereignty of the people, *in its essence*, is no less one and indivisible on that account : for they part with no property, so to speak, but merely execute a conditional deed of trust. This substitution of the aggregate will in place of the individual will, and the delegation of the exercise of that will, is obligatory from the assumed tacit consent of the public at large. The specific act which announces this delegation of sovereignty, and expresses the condition on which it is granted, is called "the constitution," or, in other words, the particular form of government which the people have agreed to sanction and obey.

As soon as the constitution exists, and comes into active operation, the sovereignty of the people is suspended. Every individual is then bound to observe all the lawful acts of the constituted authorities, for a continual state of anarchy would ensue, unless all were constrained to support the power which all had granted and confirmed. It is in this sense that the principal depository of the delegated social authority is called the *sovereign power*, though the more correct expression would be the *sovereign trustee*. This is not an idle or useless verbal distinction, for mankind should ever be on their guard against *mere words*, if they desire to form accurate *ideas*. The word president, as used in America, is plain and intelligible ; but the words, king, emperor, czar, and sultan, convey no notion of delegated power, or responsibility, or trusteeship.

In all political societies, it is essential that the four following authorities

should exist, they being constituent elements of sovereignty. First: the authority to make laws, which is legislative power: secondly, the authority to apply the laws to proved facts, which is judicial power: thirdly, the authority to carry the laws into effect, which is executive power: fourthly, the authority to conduct the various departments of the state, which is administrative power. If these four authorities were confided to a single individual, the government would be an unlimited monarchy: if they were entrusted to a few particular families, the government would be an oligarchy: if they were divided among different functionaries, each acting as a controlling check on the other, the government would be a federative union.

The distinction, already pointed out between assumed and delegated power, condemns unlimited monarchies and oligarchies, because they are flagrant violations of natural law; both of them being usurpations on the indefeasible rights of man, but sanctions federative unions, which accord with the principles of natural law, and involve trust and responsibility. The constitution of Britain is usually called a limited monarchy, but it might with as much propriety be called a limited oligarchy, or a limited democracy, consisting, as it does, of king, lords, and commons, each possessing varied degrees of influence in the administration of public affairs. This tripartite division of authority has given rise to the theory of the balance of power, a legal fiction, signifying any thing and every thing that may suit the wayward fancies of a capricious legislation. The idea of a "balance" is one of complete mechanical equalization, in which the objects weighed so exactly counterpoise each other, that they are brought into a state of absolute rest. If, then, this metaphor truly illustrated the powers of the British constitution, it ought always to be in a condition of repose, and sluggishly stationary; or, in other words, craving pardon for the absurdity of the expression which flows from the absurdity of the idea, the powers of the constitution ought to be most powerful when they are powerless. This is one of the evils of abuse of language, and the fiction begotten by lawyercraft has been nurtured and adopted by statesmancraft, to gull the people by empty words. In the hands of a faction, the balance of power is an instrument of exalting one party on the ruins of another. It is a dangerous, because an uncertain and shifting standard of right and wrong, being susceptible of extension, abridgment, and modification, and may thus at any time be rendered the supple ally of the hateful doctrine of expediency. The violent struggles between prerogative and privilege, which convulsed the reigns of the Stuart dynasty, were produced by the conflicting opinions entertained concerning the balance of power; and, after causing the execution of one king and the expulsion of another, after devastating the country with the horrors of civil war, filling the gaols with captives, crowding the scaffolds with victims, and expatriating thousands of citizens, the tragical drama

concluded with a revolution from which the aristocracy alone derived any advantage.

We shall not now enlarge on the respective merits or demerits of the monarchical, oligarchical, or democratic principles, all of which are mixed up in the British constitution : but we enter our protest against the language usually adopted respecting the three estates of the realm. We hear of the prerogative of the king ; the privileges of the peers ; the rights of the people ; and the idea sought to be attached to these verbal distinctions, is, that the component sections of the community have hostile and conflicting interests. But since all power is, or at least ought to be, delegated, and held in trust for the people, the king and the peers can have no independent authority whatever ; they are simply the responsible functionaries of the sovereign will of the many. So long, as they promote the best interests of those by whom they are either tacitly or expressly nominated, they merit being retained in office ; but when once they attempt to substitute their personal wishes for those of the public, they break the conditions of their trust, and ought forthwith to be dismissed. In reference to the king, this principle is formally recognised by the coronation oath ; for that oath delegates his power on absolute conditions, and if the conditions be subsequently broken, the power *de jure* and *de facto* ceases. But, strange to say, no such guarantee is taken from the peers, in their character of hereditary legislators, and hence the mass of evil that has befallen the country, in bribery, patronage, and unmerited pensions. And this brings us to the questions of "vested interests" and "reform," by which latter term we understand the indefeasible right of the community, at any time, to remodel its institutions, either by partial changes, or total subversion and reconstruction.

In reasoning on the principles of reform, it should constantly and steadily be borne in mind, that every thing which *now* exists, was *once* innovation, a truth quite obvious from the fact of all governments having had a beginning. Wherever the freedom of the press exists, and the human understanding is actively excited, no political institutions can continue unchanged for any length of time ; for since the effect of education is to give a new direction to our habits and feelings, and widen the sphere of our wants and wishes, it necessarily follows that the form of government cannot remain stationary while the intelligence of the people is gradually advancing. To insist on the contrary view of the subject, would amount to affirming that the people were made for the government, instead of the government being made for the people. The history of Great Britain affords abundant evidence of the truth of this position, for it may be truly called the *history of revolutions*, each succeeding generation having varied the institutions of their predecessors, and adapted them to their own immediate situation. It is to the free working of this principle of change that Great Britain may attribute her present

superiority over the continental nations. The impoverished and morally degraded character of Spain is to be traced to the absence of that principle. As the stagnant pool soon resolves into putridity, while the conflict of the waters keeps them pure, so nations flourish or decay, as the thinking principle is cultivated or neglected.

There is no greater absurdity in politics than to call any particular law a final measure, for such a doctrine is tantamount to a limitation of social improvement. It is equivalent to saying that a whole community shall be reduced into a stationary condition. No man in his senses would think of applying this doctrine to agriculture, to chemistry, to navigation, to mechanism, or any of the arts and sciences; yet men are found, assuming the character of statesmen, who talk of final measures in matters of legislation! If the reasoning faculties could be arrested and brought to a dead stand—the art of printing be abolished—and all books now in existence be destroyed—then indeed the doctrine of final measures might be sustained: but, since this suspension of the human intellect is utterly impossible, unless a vandal despotism were revived, intelligence must still go on to produce its customary effects, and these are change and innovation in the structure of society at large, accompanied by corresponding alterations in the form and frame of political institutions.

The constitution of England was based on feudalism, but that system having passed away, and having been superseded by a new order of things, it is absurd to retain any vestige of the ancient institutions. In those days the component sections of society had interests widely dissimilar from those which now prevail. The revenues of the king were derived from crown-lands, from wardships, forfeitures, escheats, fines, and different other sources of income, incident to the feudal tenures. He is now maintained by a civil list. The baronial estates were formerly charged with the expenses of war: now, the standing army is paid by a general tax on the people at large, while the holders of those estates retain possession of them, free from the original incumbrance. England had then no colonies; printing was unknown; agriculture was the sole source of wealth; manufactories were not established; no commercial marine existed; the funding system was not even thought of, and no national debt oppressed the country. Since that remote period, a complete revolution has taken place in all the social relations of life. Wealth has assumed a new character, and intelligence has superseded ignorance. Labour now exhibits itself in forms of which the founders of the constitution had no conception, and thus the numbers of the producing classes have been prodigiously augmented, while their relative interests display the greatest possible diversity of character. Surely, they have a right to some share of political influence, and it would be as absurd as unjust to resist their demands on the plea of some old law being considered by those who enacted it as a final measure binding on the remotest posterity.

In estimating the true value of the "wisdom of our ancestors," we ought to steer a middle course, neither despising as worthless *all* their political bequests, nor indiscriminately adopting *all* their opinions, without carefully weighing them in the balance. We should also consider what our ancestors would have done, had the times in which they lived precisely resembled those in which we live, for, though the laws enacted by them might exactly have suited their own generation, it by no means follows that they were intended to apply to totally altered circumstances. Similar reasoning applies to what are familiarly termed "vested interests," such as pensions on the civil list, sinecures, patent places, ecclesiastical pluralities, and so forth; for spoliation, as it is called, does not consist in their abolishment, but in their original institution. If the rulers of the country, some centuries ago, conferred certain hereditary offices on their friends and adherents, to which emolument is attached, we maintain that the equity, and justice, and policy of the original grant is liable to the investigation and approval of posterity, or else the doctrine of "final measures" would be conceded.

Admitting then, that when the constitution is once formed, the sovereignty of the people is suspended, we deny that it is extinct. They still have a right to make any change which general utility may demand at all times and on all occasions, for unless this power of reform were impliedly reserved, government would not be a trust, but a property. But the grand argument in favour of the principle of progression rests on a holy and sanctified basis, for it is clearly intertwined with the commands and precepts of Christianity. We are strictly ordered to love our neighbour as ourselves, and to do unto others that which we would have others do unto us. Now, in as much as an educated man knows the nature of his social duties better than an ignorant man, so also must an educated nation understand their relative duties better than an unenlightened community. When they do know them, they are bound to carry them into execution, and, consequently, if any old laws or customs exist which cramp their exercise, we are under a religious obligation to amend or abolish them, as the case may require, for the means must be adapted to the end. Our ancestors, as well as the ancestors of every other people, possessed no sound knowledge of the true principles of legislation. The law of the strongest was the only one that they respected; their systems were founded in selfishness, in exclusiveness, and injustice, nor had they the least notion of any scheme of comprehensive benevolence. We have a striking proof of this barbarous intolerance in the maxim, not even yet extinct, that the people of France are our natural enemies, as if, under a Christian dispensation, any living man can be the natural enemy of another.

A narrow and short-sighted policy, based on the subversion of every Christian principle, prompted the statesmen of earlier periods to cramp

the energies of neighbouring countries in the hope of exalting their own. This system was specially pursued in reference to commerce, and it is to be lamented that many enemies to free trade still exist. It has pleased our Creator so to construct the planet on which we live, that various climates prevail in various latitudes, and this difference renders commodities scarce in some places, which are redundant in other places. It may fairly be inferred from this constant law of nature, that this arrangement, coupled with the desires implanted in man to enjoy all the bounties of Providence, was intended as a mean to associate the whole human race; and if that conclusion be just, then restrictions on commercial intercourse are impious, for they tend to retard civilization, and consequently, to limit the spread of Christianity. Most assuredly they are highly impolitic, for it is of no use to produce an article, unless you can sell it, and if you impoverish neighbouring nations, you necessarily limit their faculty of dealing with. If Spain, for instance, were what she ought to be, and what we trust she soon will be, how immensely would the exports of mercantile England be increased, and how vastly her manufactures would be augmented; and why? simply because she would find a new market, crowded with additional customers, able and willing to purchase the produce of her industry.

We have already stated, that the true object of political government is the greatest happiness of the greatest numbers for the longest period of time. We do not confine this opinion within certain geographical boundaries, called England, Russia, America, or any other portion of the earth called "a country." Certainly, in each separate division, the rule ought to be enforced for the benefit of those who inhabit it; but, in a more comprehensive sense, we look forward to that extensive scheme of civilization, founded on extensive benevolence, which will unite all mankind by the ties of a single family. Nor is this a chimerical project, for the means to effect it, if properly used, are ready to our hand. These means are the application of the precepts and principles of Christianity to every human law, whether it influences our internal or external relations; secondly, the diffusion of education, moral, religious, and scientific, as the instrument, under Providence, to prepare the minds and hearts of men to receive the Gospel, not as a mere ceremonial of faith, but as a rigid rule of duty. When government is viewed in this light, political constitutions will be erected on the basis of universal charity and good will to all men: we shall hear no more of one race of men being the "natural enemies" of another race of men; the black negro, the swarthy Arab, the tawny Hindoo, the red Indian, and the white European, will no longer dispute about the aristocracy of the skin; free trade will be adopted to interchange happiness over the globe; and, in anticipation of the divine promise that there will ultimately be "one shepherd and one fold," all the nations of the earth, recognizing one uni-

versal constitution, founded on the principles of natural law, which is a declaration of the Will of God, will live together in the harmony of Christian brotherhood.

CONTENTMENT.

I.

SPARK of pure celestial fire,
Part of all the world's desire,
Paradise of earthly bliss,
Heaven of the other world, and this,
Tell me where thy court abides?
Where thy glorious chariot rides?

II.

Eden knew thee for a day,
But thou would'st no longer stay,
Ousted for poor Adam's sin,
By the flaming cherubin:
Yet thou loved'st that happy shade,
Where thy beauteous form was made,
And thy kindness still remains,
To the woods and flowery plains.

III.

Happy David found thee there,
Sporting in the open air,
As he led his flocks along,
Listening to his rural song:
But when courts and honours had
Snatched away the lovely lad,
Thou that there no room could'st find
Let them go, and stay'dst behind.

IV.

His wise son, with care and pain,
Searched all nature's frame in vain,
For a while, most anxious, he
Searched it round, but found not thee;
Beauty owned she knew thee not,
Plenty had thy name forgot,
Music only did aver,
Once you came and danced with her.

V.

All the world still hunt about,
Happy he who finds thee out,
Some have dreamed thou still does sit
Circled round with mirth and wit;

In a cloister or a pew,
Others always seek for you :
But their search alike is vain,
These morose, and those profane.

VI.

The mother only with fond care
Hugs her child and finds thee there,
Kisses while asleep it lies
And upon it feasts her eyes ;
'Till the little bantling came
Just to lisp its mama's name,
Then her airy hopes decay,
Like visionary shades, away.

VII.

Since thy throne thou dost not place,
In a palace, or a face ;
Since thou coyly passest by,
Pleasures, riches, harmony :
Since we cannot find thee out
With the witty, or devout ;
Since I here of thee despair,
I'll aim at heaven, and find thee there.

ON THE CHEMISTRY OF THE ANCIENTS.

If we are guided by the greatest number of etymologists, there needs no deep research to demonstrate the antiquity of chemistry. Its name seems to declare its origin. It is agreed almost by all, that it was first cultivated in Egypt, the country of Cham, of whom it is supposed primarily to have taken the name Chemeia sive Chemia, the science of Cham.* But without entering here into a philological discussion, I shall content myself with considering whether the ancients were chemists, and to what degree ; and I hope to make it appear, that they not only knew that art scientifically, but had such an insight into some particulars, that in those points they excelled the moderns.

The first instance that occurs, for ascertaining the antiquity of the science, is of a very remote date. Nobody, I think, will disallow that Tubal-Cain, and those who with him found out the method of working in brass and iron, must have been able chemists. In reality it was impossi-

* In the one hundred and fifth psalm, Egypt is called "The land of Cham." According to Bochart, the Coptes called themselves Chemi or Chami ; and Plutarch, in his *Isis and Osiris*, speaking of a district in Egypt, names it Chamia quasi Chimia. Another etymology is assigned to this word, by deriving it from the Arabian kema, occultare, to conceal ; because chemistry is in the nature of an occult art.

ble to work upon these metals, without first knowing the art of digging them out of the mine, and refining and separating them from the ore ; all which are chemical operations, and must have been at first invented by those who excelled in the art, however afterwards they might be put in practice by the meanest artizans. Those who are engaged in the working of copper mines, for instance, and know that the metal itself must pass above a dozen times through the fire, before it can acquire its proper colour and ductility, will easily enter into this sentiment. It appears to me needless to bring together here all the passages of heathen historians, which speak of Vulcan in the same manner as the sacred author does of Tubal-Cain ; or to show from the resemblance, and as it were identity of names, that all of them relate to one and the same person. That would occupy too long a digression. It is enough to observe, that those authors represent Vulcan as skilled in operating upon iron, copper, gold, silver, and all the other bodies capable of sustaining the action of fire.

I likewise pass over whatever carries in it the air of fable ; such as the story of the golden fleece ; the golden apples that grew in the garden of Hesperides ; the reports of Manethon and Josephus with relation to Seth's pillars, whence deductions have been made in favour of the transmutation of metals. I come to facts more real and established ; and, for the sake of chronological order, shall still adhere to the sacred text in considering an action of Moses, who, having broken the golden calf, reduced it into powder, to be mingled with water, and given to the Israelites to drink ; in one word he rendered the gold potable ; an operation so difficult, that it is entirely impracticable to most of the chemists of our days, and owned by Boerhaave, to be of so exalted a kind, that it was unknown in his days even to the most skilful. Yet it must be admitted ; that it has been looked upon by some able chemists as practicable, who at the same time acknowledge it to be a most remarkable proof of Moses's eminent skill in all the wisdom of the Egyptians. For how, without the aid of chemistry, could Moses have dissolved the golden calf, and that too without applying corrosives, which would have poisoned all who afterwards drank of the water ? Yet this is to be done, and in a short time too, though there be but one way of doing it. Frederick the Third, king of Denmark, curious to put this operation into practice, engaged some able chemists of his time to attempt it. After many trials, they at last succeeded, but it was in following the method of Moses, by first of all reducing the gold into small parts by means of fire, and then pounding it in a mortar along with water, till it was so far dissolved as to become potable. This fact cannot be called in question, nor has it any thing supernatural about it. We know that Moses was instructed in all the learning of the Egyptians, among whom the sciences were cultivated with all manner of success, and from whom the most eminent philosophers of Greece derived all their knowledge. That they were not unworthy

of the reputation they acquired, might be shewn from this single article on chemistry.

How the Egyptians formed that cement, which they applied in rearing those monuments which still subsist, remains a secret yet to us unknown ; though it be past all doubt, that they prepared it in a chemical way, so hidden however from us, that we daily lament the loss of it. They must also have had some method of tempering steel, far superior to ours, as the deep and sharp inscriptions on their obelisks and temples abundantly testify. The numberless mummies which still endure, after so long a course of ages, proves that the Egyptians carried chemistry to a very high degree of excellence. In their mummies alone there is such a series and contexture of operations, that some of them still remain unknown, notwithstanding all the attempts of the ablest moderns to recover them. The art of embalming bodies, for example, and preserving them for many ages, is absolutely lost. All the essays to restore this art have proved ineffectual ; nor have the reiterated analyses made of mummies, to discover the ingredients of which they are composed, had any better success. Some moderns have attempted, by certain preparations, to preserve dead bodies entire, but all to no purpose. The mummies of Lewis de Bils, or Bilsius, of Copenhagen, who flourished about 1680, have long since been in a state of corruption. There were also, in the composition of the Egyptian mummies, many things beside, which fall within the verge of chemistry ; such as their gilding,* so very fresh, as if it were but of fifty years' standing ; and their stained silk, so vivid in its colours, though after a series of thirty ages. In the British museum there was, and may be still, a mummy covered over with fillets of granated glass, various in colour, which shews that these people, at that time, understood not only the making of glass, but could paint it to their liking. It may be remarked here, that the ornaments of glass, with which that mummy is bedecked, are tinged with the same colours, and set off in the same taste, as the dyes in which almost all other mummies are painted ; so that it is probable, that this kind of ornaments, being very expensive, was reserved for personages of the first rank only ; whilst others, who could not afford this, contented themselves with an imitation of it in painting.

It would be easy to make a more extensive enumeration of the particulars of the chemical processes which altogether concurred towards the composition of a mummy ; but I proceed now to take notice of their manner of painting upon linen, which, if I mistake not, is still a secret to us. After having drawn the outlines of their design upon the piece of linen, they filled each compartment of it with different sorts of gums, proper to absorb the various colours : so that none of them could be dis-

* That the ancients understood the art of gilding with beaten or water gold is attested by Pliny. *Æs inaurari argento vivo, legitimum erat.*—*HIST. NAT. lib. 33, c. 3.*

tinguished from the whiteness of the cloth. Then they dipped it for a moment in a cauldron full of boiling liquor, prepared for the purpose; and drew it thence, painted in all the colours they intended. And what was very remarkable, the colours neither decayed by time, nor faded in washing; the caustic, impregnating the liquor in which it was dipt, having penetrated and fixed every colour intimately through the whole contexture of the cloth. This single instance is sufficient to give us a very high conception of the progress that chemistry had made among the Egyptians, though their history affords a thousand others of a similar kind not to be wondered at among a people so very active and industrious, where even the lame, the blind, and the maimed, were in constant employment; and so little were the Egyptians subject to envy or jealousy, that they inscribed their discoveries in the arts and sciences upon pillars reared in holy places, in order to omit nothing that might contribute to public utility. The emperor Adrian attests the first part of their character, in a letter written to the consul Servianus, upon presenting him with three very curious cups of glass, which, like a pigeon's neck, reflected, on whatever side they were viewed, a variety of colours, representing those of the precious stone called obsidianum, which some commentators have imagined to be the cats-eye, and others the opal.

This art of imitating precious stones was not peculiar to the Egyptians; the Greeks, who, indeed, derived their knowledge from those great masters, were also very skilful in this branch of chemistry. They could give to a composition of chrysal, all the different tints of any precious stone they wanted to imitate. Pliny, Theophrastus, and many others, give some instances of this; but they most remarkably excelled in an exact imitation of the ruby, the hyacinth, the emerald, and the sapphire.

I insist not upon what Diodorus Siculus says, that some of the Egyptian kings had the art of extracting gold from a sort of white marble; nor upon what Strabo reports of their manner of preparing nitre, and the considerable number of mortars of granite that were to be seen in his time at Memphis, which were intended for chemical purposes; but I cannot in silence pass over their hatching the eggs of hens, geese, and other fowls, at all seasons, and in different ways, first renewed among the moderns by Reaumur, and now daily practised in London and Paris. The method adopted by Reaumur was precisely that of the Egyptians, according to the testimony of Diodorus Siculus, Aristotle, and Flavius Vopiscus.

Chemistry being a principal branch of medicine, it will not be amiss to mention some particulars, wherein the Egyptians have contributed to the perfection of that science. I set aside the history of *Æsculapius*, who was instructed by Mercury or *Hermes*, and I come to facts. Their pharmacy depended much on chemistry; witness their manner of extracting

oil, and preparing opium, for alleviating acute pains, or relieving the mind from melancholy thoughts. Homer seems to have had this last in view, when he introduces Helen as ministering to Telemachus a medical preparation of this kind. They also made a composition or preparation of a clay or fuller's earth, adapted to the relief of many disorders, particularly to render the fleshy parts dry, and thence to cure the dropsy and the hemorrhoids. They knew all the different ways of composing salts, nitre, alum, sal cyrenaïc or ammoniac, so called by them on account of its being found in the environs of the temple of Jupiter Ammon. They made use of the litharge of silver, the rust of iron, and calcined alum, in the cure of ulcers, cuts, boils, defluxions of the eyes, pains of the head, &c., and of pitch against the bite of serpents. They successfully applied caustics. They knew every different way of preparing plants, herbs, and grain, whether for medicine or beverage. Beer had its origia among them,* a circumstance very little known. Their unguents were of the highest estimation, and most lasting; and their using remedies, taken from metallic substances, is so manifest in the writings of Pliny and Dioscorides, that it would be needless, nay tedious, to enter into farther details. Dioscorides, especially, often makes mention of their metallic preparations, such as burnt lead, ceruse, verdigrease, and burnt antimony; all which they made use of in their plaisters, and other external applications. It should be observed here, that I have had nothing in view but the pharmacy of the Egyptians, otherwise I might have made mention of the Theriac, that famous composition of Andromachus the physician of Nero, which has at all times been in high estimation, and is now in as much repute as ever. What little I have advanced respecting the medicinal chemistry of the ancients, must suffice upon this occasion; the Greeks and Romans presenting too vast a field to be comprised in an article of this kind. Hippocrates especially, the contemporary and friend of Democritus, was remarkably assiduous in the cultivation of chemistry. He not only understood the general principles of it, but was an adept in many of its most useful combinations. Passages are quoted from Plato, that are now received as axioms in chemistry. Galen knew that the energy of fire might be applied to many important purposes, and that by the instrumentality of it many secrets in nature were to be discovered, which otherwise must for ever lie hid; and he gives many instances of this in several parts of his writings. Dioscorides has transmitted to us many of the mineral operations of the ancients, and in particular that of extracting quicksilver from cinnabar, which is in effect an extract description of distillation.

These are abundant proofs of the genius, industry, science, and civilization of the ancient Egyptians, and if their posterity are now degenerated

* This fact is confirmed by Pliny. *Conficitur potus ex Hordeo, quem Zythum vocant, odoris et saporis jucunditate vero non multum cedens.*—*Lib. 13, c. 5.*

to the lowest grade in social existence, the cause of the decline must solely be attributed to bad government. The same reverse may happen at a distant date to England, if the people become indifferent to political institutions, and cease to advance with the spirit of the age. If the system once becomes stationary, it will soon retrograde, and the arts and sciences will droop and languish. The past and present state of Egypt is a memorable instance of the instability of human affairs, and a warning to modern nations, that the prosperity of all states depends on the proper cultivation and exercise of the intellectual faculties.

SPECIMENS OF THE POETRY OF JEAN-BAPTISTE
ROUSSEAU.

JEAN-BAPTISTE ROUSSEAU occupies an honoured station on the summit of the French Parnassus. He was born in 1671, and enjoyed the inestimable advantage of studying during twenty years under the immediate auspices of the acute and judicious Boileau. The pupil proved worthy of the master, from whom he imbibed that purity of style and correctness of taste which pervade all his compositions. His psalms and his odes are an imperishable monument to his glory, so long as the love of literature is cultivated among mankind. J. B. Rousseau possessed a most exact and delicate ear, and had the rare judgment of selecting the most appropriate stanza for each of his subjects. There is not much depth of thought or originality of conception in his writings, but the lyric poet is not expected to think so profoundly as the philosopher who reasons. The chief merit of our author is the harmony of his versification, the richness of his metaphors, and the roundness of his periods; though, on occasions, he manifests the glowing energies of a bold imagination. We propose to give a few specimens of his psalms, and of his four most celebrated odes, to wit, those he addressed au Comte du Luc, au Prince Eugène, au Duc de Vendôme, and to Malherbe.

The following extract is from his psalms, descriptive of the wonders of creation.

I.
Dans une éclatante voûte
Il a placé de ses mains
Ce soleil qui, dans sa route,
Eclaire tous les humains :
Environné de lumière,
Cet astre ouvre sa carrière
Comme un époux glorieux,
Qui, dès l'aube matinale,
De sa couche nuptiale
Sort brillant et radieux.

II.
L'univers, à sa présence,
Semble sortir du néant.
Il prend sa course, il s'avance,
Comme un superbe géant.
Bientôt sa marche féconde
Embrasse le tour du monde
Dans le cercle qu'il décrit,
Et, par sa chaleur puissante,
La nature languissante
Se ranime et se nourrit.

We take our next specimen from the psalm on the "apparent temporal

prosperity of the wicked," which, in many passages, is vigorous and beautiful.

I.

Mais quoi ? les périls qui m'obsèdent
Ne sont pas encore passés !
De nouveaux ennemis succèdent
A mes ennemis terrassés !
Grand Dieu ! c'est toi que je réclame,
Lève ton bras, lance ta flamme,
Abaisse la hauteur des cieux,
Et viens sur la voûte enflammée,
D'une main de foudres armée,
Frapper ses monts audacieux.

II.

Ces hommes qui n'ont pas encore
Eprouvé la main du Seigneur,
Se flattent que Dieu les ignore,
Et s'enivrent de leur bonheur.
Leur postérité florissante,
Ainsi qu'une tige naissante,
Croît et s'élève sous leurs yeux ;
Leurs filles couronnent leurs têtes
De tout ce qu'en nos jours de fêtes
Nous portons de plus précieux.

III.

De leurs grains leurs granges sont pleines ;
Leurs celliers regorgent de fruits ;
Leurs troupeaux, tout chargés de laines,
Sont incessamment reproduits ;
Pour eux la fertile rosée,
Tombant sur la terre embrasée,
Rafraichit son sein altéré ;
Et pour eux le flambeau du monde
Nourrit d'une chaleur féconde
Le germe en ses flancs resserré.

IV.

Le calme règne dans leurs villes ;
Nul bruit n'interrompt leur sommeil ;
On ne voit pas leur toits fragiles
Ouverts aux rayons du soleil.
C'est ainsi qu'ils passent leur âge.
Heureux, disent-ils, le rivage
Où l'on jouit d'un tel bonheur !
Qu'ils restent dans leur rêverie :
Heureuse la seule patrie,
Où l'on adore le Seigneur !

Le Comte du Luc, one of the patrons of Rousseau, plenipotentiary at the peace of Baden, and ambassador in Switzerland, had long and faithfully served France in her diplomatic negotiations. His health was feeble and his constitution greatly impaired ; the poet, in the following ode, desires to express his gratitude for past services, to compliment him on the public services which he had rendered to the state, and at the same time to anticipate his speedy convalescence and the enjoyment of a green old age. Rousseau commences the ode with describing the state of excitement which he feels when the spirit of poetry seizes on him. He compares himself to Proteus, when he wishes to escape the importunities of those who consult him, and to the priestess of Delphi, when filled with the energies of the God whose oracles she is about to pronounce. This commencement appears, at first view, somewhat irrelevant, but Rousseau handles his subject with the skill of a master in his art, and justifies the pomp and vehemence of his exordium.

I.

Des veilles, des travaux, un faible cœur s'étonne.
Apprenons toutefois que le fils de Latone,
Dont nous suivons la cour,
Ne nous vend qu'à ce prix ces traits de vive flamme,
Et ces ailes de feu qui ravissent une ame
Au céleste séjour.

II.

C'est par là qu'autrefois d'un prophète fidèle
L'esprit s'affranchissant de sa chaîne mortelle
Par un puissant effort,
S'élançait dans les airs comme un aigle intrépide,
Et jusque chez les dieux allait d'un vol rapide
Interroger le sort.

III.

C'est par là qu'un mortel, forçant les rives sombres
Au superbe tyran qui règne sur les ombres,
Fit respecter sa voix :
Heureux, si, trop épris d'une beauté rendue
Par un excès d'amour il ne l'eût pas perdue
Une seconde fois !

IV.

Telle était de Phébus la vertu souveraine,
Tandis qu'il fréquentait les bords de l'Hippocrène
Et les sacrés vallons.
Mais ce n'est plus le temps, depuis que l'avarice,
Le mensonge flatteur, l'orgueil et le caprice,
Sont nos seuls Apollons.

V.

Ah ! si ce Dieu sublime, échauffant mon génie,
Ressuscitait pour moi de l'antique harmonie
Les magiques accords ;
Si je pouvais du ciel franchir les vastes routes,
Ou percer par mes chants les infernales voûtes
De l'empire des morts.

VI.

Je n'irais point, des dieux profanant la retraite,
Dérober aux destins, téméraire interprète,
Leurs augustes secrets :
Je n'irais point chercher une amante ravie,
Et, la lyre à la main, redemander sa vie
Au gendre de Cérès.

VII.

Enflammé d'une ardeur plus noble et moins stérile,
J'irais, j'irais pour vous, ô mon illustre asile !
O mon fidèle espoir !
Implorer aux enfers ces trois frères déesses,
Que jamais jusqu'ici nos vœux et nos promesses
N'ont eu l'art d'émouvoir.

The reader now perceives the object of the poet, and duly appreciating the lofty sentiments and brilliant imagery which sparkle throughout these introductory stanzas, he feels the propriety of Rousseau describing himself as beset by the genius of poesy, which urges him to repeat the experiment of Orpheus, and attempt to soothe the fates, and reconcile the infernal deities. What Orpheus did for love of his wife Eurydice, Rousseau proposes to do for his friend the Comte du Luc, and his prayer is so touching, and the harmony of his verse so melodious, that he appears in truth to be the Orpheus whom he aspires to imitate.

IX.

Puissantes déités, qui peuplez cette rive,
Préparez, leur dirais-je, une oreille attentive,
Au bruit de mes concerts.
Puissent-ils amollir vos superbes courages,
En faveur d'un héros digne des premiers âges
Du naissant univers !

X.

Non, jamais sur les yeux de l'anguste Cybèle,
 La terre ne vit naître un plus parfait modèle
 Entre les dieux mortels :
 Et jamais la vertu n'a, dans un siècle avare,
 D'un plus riche parfum, ni d'un encens plus rare,
 Vu fumer ses autels.

XI.

C'est lui, c'est le pouvoir de cet heureux génie,
 Qui soutient l'équité contre la tyrannie
 D'un astre injurieux.
 L'aimable vérité, fugitive, importune,
 N'a trouvé qu'en lui seul sa gloire, sa fortune,
 Sa patrie et ses dieux.

XII.

Corrigez donc pour lui vos rigoureux usages ;
 Prenez tous les fuseaux qui pour les plus longs âges
 Tourment entre vos mains ;
 C'est à vous que du Styx les dieux inexorables,
 Ont confié les jours, hélas ! trop peu durables
 Des fragiles humains.

XIII.

Si ces dieux, dont un jour tout doit être la proie,
 Se montrent trop jaloux de la fatale soie
 Que vous leur redeviez,
 Ne délibérez plus, tranchez mes destinées,
 Et renouez leur fil à celui des années
 Que vous lui réservez.

XIV.

Ainsi daigne le ciel, toujours pur et tranquille,
 Verser sur tous les jours que votre main nous file
 Un regard amoureux !
 Et puissent les mortels amis de l'innocence,
 Mériter tous les soins que votre vigilance
 Daigne prendre pour eux !

XV.

C'est ainsi qu'au-delà de la fatale barque,
 Mes chants adouciraient de l'orgueilleuse Parque
 L'impitoyable loi :
 Lachésis apprendrait à devenir sensible,
 Et le double ciseau de sa sœur inflexible
 Tomberait devant moi.

All these stanzas are rich in beauty, and aptly illustrate the difference between a mere versifier and a genuine poet. They neither admit of, nor require, any minute criticism. Whoever understands the French language, and is not utterly insensible to the charms of graphic description and splendid imagery, must acknowledge the genius and skill of Rousseau. We have quoted largely from this ode because it is decidedly the best production of our author, and indeed the finest specimen of lyric poetry in French literature ; but yet we desire to present our readers with the concluding stanzas. After recapitulating the many services which the Comte du Luc had rendered to mankind, Rousseau uses the *pia fraus* of

poetry, and confesses himself unequal to the task of doing complete justice to the many excellences of his hero. He asks, where is the artist who could embody such a subject? Where is the Apelles who could paint such a portrait? For himself, wearied with his long course, he acknowledges that he must revert back to his individuality, and then terminates the ode, as beautifully as he commenced it.

Que ne puis-je franchir cette noble barrière
Mais, peu propre aux efforts d'une longue carrière,
Je vais jusqu'où je puis;
Et, semblable à l'abeille en nos jardins enclose,
De différentes fleurs j'assemble et je compose
Le miel que je produis.

Sans cesse, en divers lieux, errant à l'aventure,
Des spectacles nouveaux que m'offre la nature
Mes yeux sont égayés;
Et tantôt dans les bois, tantôt dans les prairies,
Je promène toujours mes douces rêveries
Loin des chemins frayés.

Celui qui, se livrant à des guides vulgaires,
Ne détourne jamais des routes populaires
Les pas infructueux,
Marche plus sûrement dans une humble campagne
Que ceux qui, plus hardis, percent de la montagne
Les sentiers tortueux.

Toutefois c'est ainsi que nos maîtres célèbres
Ont dérobé leurs noms aux épaisses ténèbres
De leur antiquité;
Et ce n'est qu'en suivant leur périlleux exemple
Que nous pouvons comme eux arriver jusqu'au temple
De l'immortalité.

The ode addressed to the Duke de Vendôme, on his return from Malta, though inferior to that which Rousseau dedicated to the Comte du Luc, possesses nevertheless many excellences. The author puts the eulogium of his hero in the mouth of Neptune, who orders the Tritons and the Nereides to protect his vessel and avert stormy winds. This fiction furnishes the opportunity for an animated exordium: the discourse of Neptune is in keeping with it: and when the poet speaks in his own person, he sustains a tone of dignity and firmness. Our extracts from the ode to the Comte du Luc have been so copious, that we can only afford space for a short sample of the present poem:

I.

Après que cette île guerrière,
Si fatale aux fiers Ottomans,
Eut mis sa puissante barrière,
A couvert de leurs armemens,
Vendôme, qui par sa prudence,
Sut y rétablir l'abondance
Et pourvoir à tous ses besoins,
Voulut céder aux destinées,
Qui réservaient à ses années
D'autres climats et d'autres soins.

II.

Mais, dès que la céleste voûte
Fut ouverte au jour radieux
Qui devait éclairer la route
De ce héros ami des dieux,
Du fond de ses grottes profondes,
Neptune éleva sur les ondes
Son char de Tritons entouré;
Et ce dieu, prenant la parole,
Aux superbes enfants d'Eole
Adressa cet ordre sacré:

III.

Allez, tyrans impitoyables,
 Qui désolerez tout l'univers,
 De vos tempêtes effroyables
 Troubler ailleurs le sein des mers.
 Sur les eaux qui baignent l'Afrique,
 C'est au Vulture pacifique
 Que j'ai destiné votre emploi.
 Partez, et que votre furie,
 Jusqu'à la dernière Hespérie
 Respecte et subisse sa loi.

IV.

Mais vous, aimables Néréides,
 Songez au sang du grand Henri :
 Lorsque vos campagnes humides
 Porteront ce prince chéri,
 Aplaissez l'onde orageuse,
 Secondez l'ardeur courageuse
 De ses fidèles matelots :
 Allez, et d'une main agile
 Soutenez son vaisseau fragile
 Quand il roulera sur mes flots.

The cadence of the last six verses of the fourth stanza is peculiarly harmonious, and by a little effort of the imagination, we may almost fancy a vessel actually gliding over the gently undulated bosom of the sea. If we may be permitted to criticise such a writer as Rousseau, we would remark that there is some inconsistency in calling on the Nereides to "second the courageous ardour of the faithful sailors," after they had been previously ordered to lull the waters, and prohibit the wind blowing more than a mackerel breeze. We select our next specimens from the ode to Malherbe. One of the most beautiful passages in this production is the episode on the serpent Python slain by Apollo, the god of poesy, which serpent Rousseau here makes the symbol of envy. Our author thus vigorously attacks the detractors of men of genius :

I.

Impitoyables Zoïles,
 Plus sourd que le noir Pluton,
 Souvenez-vous, âmes viles,
 Du sort de l'affreux Python ;
 Chez les filles de Mémoire
 Allez apprendre l'histoire
 De ce serpent abhorré,
 Dont l'haleine détestée,
 De sa vapeur empestée,
 Souilla leur séjour sacré.

II.

Lorsque la terrestre masse
 Du déluge eut bu les eaux,
 Il effraya le Parnasse
 Par des prodiges nouveaux.
 Le ciel vit ce monstre imple,
 Né de la fange croupie
 Au pied du mont Pelion,
 Souffler son infecte rage
 Contre le naissant ouvrage
 Des mains de Deucalion.

III.

Mais le bras sûr et terrible
 Du Dieu qui donne le jour
 Lava dans son sang horrible
 L'honneur du docte séjour.
 Bientôt de la Thessalie,
 Par sa dépouille ennoblée,
 Les champs en furent baignés,
 Et du Céphise rapide
 Son corps affreux et livide
 Grossit les flots indignés.

All these details are essentially poetical, and in judicious keeping with the fire and lyrical grandeur of the ode. Le naissant ouvrage des mains de Deucalion, the figurative description of man newly created, is a lively and happy image, as ably conceived, as it is well expressed. Rousseau has not been so exact in other parts of this poem.

Une louange équitable
 Dont l'honneur seul est le but
 Du mérite véritable
 Est l'infaillible tribut.

In these four verses, there are two expressions evidently improper. *L'honneur qui est le but de louange* is faulty in idea, for the true object of praise is to excite men to emulation, and inspire them with sentiments of justice towards their fellow-creatures. And, moreover, praise is not the tribute of merit, but the reward of merit, when itself is the tribute awarded by justice and equity. The six concluding verses of this stanza are, however, excellent, and atone for the defects of the preceding.

Un esprit noble et sublime,
Nourri de gloire et d'estime,
Sent redoubler ses chaleurs
Comme une tige élevée,
D'une onde pure abreuvée,
Voit multiplier ses fleurs.

There is the same disproportion in the following stanza :

Mais cette flatteuse amorce
D'un hommage qu'on croit dû,
Souvent prête même force
Au vice qu'à la vertu.

The expression, *Qu'on croit dû*, is flat and prosaic, and grates harshly on the ear, and the phrase, *une amorce a prêté de la force*, is a contradiction in terms. These errors arose no doubt from negligence, but we must say with Horace, *Non ego paucis offendar maculis*, especially as the stanza ends magnificently :

De la céleste rosée,
La terre fertilisée
Quand les frimas ont cessé ;
Fait également éclore,
Et les doux parfums de Flore,
Et les poisons de Circé.

Rousseau terminates this ode with a truly lyrical loftiness of thought.

Cieux, gardez vos eaux fécondes
Pour le myrte aimé des dieux :
Ne prodiguez plus vos ondes
A cet if contagieux.
Et vous, enfants des nuages,
Vents, ministres des orages,
Venez, fiers tyrans du Nord,
De vos brûlantes froidures
Séchez ces feuilles impures
Dont l'ombre donne la mort.

CALIGULA'S HORSE.

WHEN I read over our own history, as well as that of other nations, I feel a kind of reverence rise in my soul for the memories of several emperors, kings, princes, and sovereign dukes, for the wisdom, as well as excellent taste, they have shewn in the judicious choice of such persons as they thought worthy to be placed at the helm of government. When I consider

that the prince has it in his power to choose out of millions of his subjects, among whom there are no doubt both wise men and fools ; when I see him hit on one in whom virtue and wisdom are so equally conspicuous, that all the world agrees there was not his fellow left, it ought to fill one's mind with wonder and surprise. What a happiness (for example) must it have been to live under the auspicious reign of the emperor Caligula, who had so great a regard to merit, wherever he found it, and took such a fatherly care in providing for the happiness of his people, that he made *his horse a minister of state* ! Yet there was not wanting a factious and seditious party at that time in Rome, who took liberties with the emperor himself, for making choice of so useful an animal to share with him the burden of governing the world, who, after all that could be said against him, was certainly a most able minister, for if he did no good, it is an authenticated fact that he did no harm, a negative merit which the British public well know how to appreciate when they meditate on the taxes.

I doubt not but that this diplomatic quadruped had his friends and flatterers, as well as other ministers have had since ; but it would move the indignation of every loyal heart to read with what contempt, and even scurrility, a person so high in trust and favour with the emperor was treated by the malcontents of those times. Talk of our twopenny trash and unstamped newspapers, forsooth ! Why they are positively courteous and polite in their remarks on court favorites and the pension list, when compared to the Roman radicals in their bitter and sarcastic philippics thundered forth against this four-footed beast. Had he been one of the long-eared tribe, à la bonne heure ; yet how many of the genus *asinus* have ruled the destinies of Britain, without incurring half the censure that has been heaped on Caligula's horse !

The prejudice against this distinguished statesman has long since subsided, and his real merits may now be weighed in the balance. For my part, I am willing to do justice to his memory, according to the best lights I can obtain from ancient writers ; but the materials are scanty, and history is altogether silent on many important points,—I mean those which relate to his birth, family, and education. I am somewhat curious to know whether this famous statesman was a coach or a cart horse ; a hunter or a roadster ; whether he was thorough bred, or only three parts blood. I have searched in vain the chronicles of the Roman court-newsman for information, but this silence gives me a high opinion of the modesty of his character. With all the imperial patronage at his disposal, he could easily have bribed the Heralds College, or the Antiquarian Society, or some genealogist in Rome, to have traced his pedigree in a direct and unbroken line up to Bucephalus ; but he had the good sense to rest his claims for preferment on his own personal merits.

It is an honourable trait in this fine animal, that he first recommended himself to notice by opening the eyes of his sovereign to the meanness of

his courtiers. Whether I have read or dreamed the following story, I cannot accurately recollect, but it is so consistent with probability that I think it must be authentic, although I have lost the reference to my authority. The emperor being one day on his back, (by the way, he was the worst rider that ever put his foot into a stirrup,) with his whole court about him, those obsequious gentlemen, perceiving how awkwardly he managed the reins, took occasion from thence to compliment him on his excellent horsemanship; upon which the horse immediately threw him, that his master might see what a parcel of rascals he had about him. The emperor perceiving that his horse was the only person about the court that had either truth or honesty in him, resolved from that moment to raise him to those high honours to which he afterwards arrived. If this be the real cause of his elevation to power, Caligula was not such a fool as many have supposed.

Be this as it may, it is certain that the horse bore his blushing honours meekly. In the first place, he did not shew the least alteration of behaviour on this sudden change of good fortune—he was the same creature as before—he gave himself no overbearing airs, as is common with those who are suddenly raised above their sphere. He was as docile as usual to the head-groom when he applied the curry-comb, nor did he kick the stable boys when they put clean straw into his manger. Indeed, he was the only person about the court who seemed quite unconscious of his having a superiority over others.

He did not by any mean arts engage the attention and consideration of the emperor, nor did he misrepresent the good intentions of his subjects, nor prevail on him to turn a deaf ear to their complaints, or reject their petitions. He did not engross the patronage of all the great offices of state, or cause fine stables to be erected at the national cost to lodge his poor relations. He was so remarkable for his temperance, that, if he had his belly full of oats in the morning, he never craved for more that day,—a rare instance of moderation in a prime minister! He acted on the principle “Live, and let live,” and never asked the emperor to put a tax on oats imported from Sicily, not desiring to pamper himself, while the costermonger’s nags were kept on short commons owing to the high price of corn.

He did not presume to dictate to the senate, nor was he the head of any faction. He never directly or indirectly bribed or commanded the senators to say black was white, green, blue, yellow, or any other colour he was pleased to call it. He was not so insolent as to cause men of the first ability to wait his pleasure for access to his person on official business, nor did he ever send gentlemen of the patrician order on footmen’s errands. As corrupt as the patricians were grown at that time, if he had given himself those airs, some one amongst them would certainly have bestowed upon him the discipline of the horse-whip.

As he was no flatterer himself, he took no pleasure in the flatteries of others; consequently he did not squander away the public treasure, in the dirty form of secret service money, to pension a set of literary parasites to sound his praises. He was content with the fair and honest appointments belonging to his office, without multiplying perquisites, or turning every public duty into a mercenary job; nor was he eternally quartering his family on the public; and, although he might have had as stupid and indigent kindred as some other ministers have had since,—he neither took them from the plough nor the cart, to disgrace his country abroad as proconsuls or foreign ambassadors, nor did he endanger the integrity of the empire by unduly promoting them in the cavalry.

It is difficult to be particular in speaking of one of whom so little is recorded; but, although authors have been silent as to his virtues, we may be sure that he is free from all those vices with which he is not taxed; for the vices of those who are raised to high preferment are seldom buried in oblivion; and upon the whole I conceive, that notwithstanding for so many centuries he has been treated as a stupid and ignorant minister, yet his abilities would make no contemptible figure either in the arts of peace, or the management of war, when compared to those of other ministers who have flourished since. Add to this, his temperance and modesty, and, above all, that honest and disinterested mind which kept him within such bounds, that though he lived upon nothing but hay and oats, he never stole any. Let us view this matter without prejudice, and if we, at first view, laugh at the notion of a horse being a minister of a Roman emperor, let us not forget that the king of England bestows a somewhat similar honour on a *Gold Stick*.

AN ESSAY ON TITLES AND HONOURS,

By Professor DEWHURST, F. E. S. L. &c., President of the Verulam Philosophical Society of London.

"Honour and shame from no condition rise;
"Act well your part, there all the honour lies."
POPE.

WHAT are titles and honours, but a deserved recompense and reward of true virtues; and which should be the strong incentive of every good man. Nothing is more useful than their institution, which arose on the part of their founders, to hold up the individuals on whom they were conferred, to the admiration and esteem of their fellow countrymen. It is the duty of the monarch, not only to reward virtue, and excite his subjects to the practice of virtuous deeds, but he himself should likewise show the example,—for, in all cases, *example is ever better than precept*,—and if good and honourable deeds deserve, as they most assuredly do,

some reward, then a monarch cannot act more wisely, or behave more generously, than ennobling those persons whose conduct merits it ; and thus honourable distinctions acquire a stamp of worth which time only can efface. After the reward that an individual receives from having performed a virtuous action, how delightful is the inward satisfaction that he feels ; he conscientiously knows, that he has deserved it, otherwise it would not have been conferred ; for, after the glory and reputation that great virtues heap upon their possessors, nothing is more worthily flattering that those marks of honour which have been established in all nations, to justify and confirm those honoured in public esteem.

In my opinion, honourable, worthy, virtuous, and talented individuals cannot be too much encouraged by these marks of a monarch's favour ; they serve as objects to stimulate others to deserve the same, and they confer a lustre on the prince who could discover those whom he should delight to honour. Titles and honours, when properly dispensed, are sanctioned by the approbation of the world, disposed as it is to envy and to censure. Some persons have contended, with great force of argument and eloquence, that they should not be hereditary,—contending that as they were conferred for personal merit, so they should die with him by whose merit they were well earned ; for inherited honours too often serve only to inspire a vain and ridiculous pride, and, when this happens, titles are certainly no longer honours. Although I am sorry to say that this is sometimes the case, yet it is not of common occurrence. The rank to which children are born by virtue of their father's honour, often animates them with a noble emulation to pursue the paths which their fathers have walked with so much honour to themselves and their country. It excites them to preserve the brilliant purity of their sentiments, their situation, and their reputation unsullied, so as to render themselves worthy of those high distinctions by which their ancestor was distinguished, and to which, in the course of events, they were born, as also to add a lustre, by their own proper virtues, to those titles and distinctions which they thus inherit. On this ground, therefore, do I advocate that titles and honours should continue as at present to be hereditary, inasmuch as they enable the son or grandson to remember the talents and honourable character of their ancestor, so that they might "*go and do likewise.*"

Men of rank, who regard the world's opinion, are very properly compelled, as they ought to be, to be more cautious and guarded in their conduct than others. For honours are accorded to men because they are virtuous, and extended to their children in order that they may become so. In accepting this paternal succession, they have covenanted with virtue to observe her laws more critically than the rest of their fellow countrymen. They have contracted a debt to their prince and their country ; and if they do not fulfil this engagement, and honourably

acquit themselves of this debt, they virtually renounce the heritage of their fathers.

The monarch clothes with a glorious distinction all those individuals who signalize themselves by some brilliant action. He hopes to perpetuate merit by perpetuating glory ; and, in accepting this distinction, the father confidently undertakes for the unborn virtues of his children. What infamy it is then for children to belie the well-grounded anticipations of their father and their sovereign, and to remain insensible to the one and the benefits of the other.

That which completes the glory or the infamy of a nobleman, is to make a scrutinizing comparison between his actions and those of his ancestors : for, so far from excusing children in favour of their fathers, we expect a literal performance of that virtue which their fathers possessed ; for the glory of their ancestors is a luminary through which virtues appear more lovely, but vices more hideous, for

“Vice is a monster of so frightful mien,
 “As to be hated needs but to be seen ;
 “Yet seen too oft, familiar with her face,
 “We first endure, then pity, then embrace.”

Since, then, high rank imposes, in its very nature, an obligation,—the desire to possess great merit, it ought also to inspire the sentiment of modesty, rather than haughtiness and pride. Thus, to many, nature has apparently been very cruel ; this, however, is not the case,—it is the general depravity of human nature itself, and oftentimes men will not employ that intellectual freedom of the will, so necessary to free herself from the shackles they thus allow to entangle them ; for, along with their high rank, by which they are placed above the commonalty of their fellow men, they, instead of gaining an equal degree of superior intellectual superiority, sometimes degrade themselves by their contumely to their less honoured neighbours, and assume a degree of disdainful pride which nature and their sovereign never designed them to possess. One of this kind of young nobles, who was pluming himself of his rank, was thus reproved by one of the bishops, in nearly the following terms : —“ My lord,” said the divine, “ you are continually boasting of your high rank, your titles and honours ; the world knows you inherit them, and were your lordship to conceal or say nothing about them yourself, the world would despise you the less, and men would esteem you the more.” Thus manners degrade what titles vainly attempt to support ; for we must recollect that

“Worth makes the man ; want of it, the fellow.”

To speak decisively and finally, titles may be adventitious, but honours must be personal, and while an obscure parentage does not always preclude the reward of virtue, an illustrious birth may be so dishonoured -- to become actually an obstacle to the operations of virtue itself.

REFORM OF THE HOUSE OF LORDS.

MANY years have now elapsed since the celebrated Earl of Chesterfield denounced the House of Lords as an "Hospital of Incurables." Time has confirmed the justness of his remark, and the conduct of the peers, since the accession of Earl Grey to the premiership, down to the present hour, has shown them to be a clog on the best energies of the nation. Every thinking man sees the imperative necessity of introducing some measure of reform among the hereditary legislators : but the question has not yet been sufficiently discussed to produce unanimity as to the exact mode that ought to be pursued. It may, therefore, be useful to point out the system pursued by our ancestors, and exhibit in some particulars the constitutional principles which formerly governed the House of Lords. It can be clearly proved that the immense tracts of land anciently granted by the crown to the barons, were wholly in the nature of a trust, and that non-residence, as will be shown in the subjoined case of the Earl of Shrewsbury, involved their forfeiture. It also appears from Nevil's case, claiming to be Earl of Westmoreland, that every peer lost his dignity, if he lost the pecuniary means of supporting it ; and the case of Isabel, Countess of Rutland, proves that the only reason why peers and peeresses were privileged from arrest for debt, was grounded on the presumption that they held sufficient freehold to meet all demands.

EARL OF SHREWSBURY'S CASE.

By force of certain letters, bearing date 28 Martii, 1612, of the Lords of the Privy Council, directed to Sir Humphrey Winch, Sir James Lay, Sir Anthony Saintloger, and James Hulleston ; they did certify to their lordships the claim of Gilbert Earl of Shrewsbury to the dignities of the Earldom of Waterford, and Barony of Dungarvon, in Ireland, in such manner as followeth :

King Henry the Sixth, by his letters patent, in the twentieth year of his reign, did grant to his thrice beloved cousin John Earl of Shrewsbury, in consideration of his approved and loyal services in the city and county of Waterford, *pro eo quoque eundem consanguineum nostrum prædicta terra nostra Hiberniæ in partibus illis contra inimicorum et rebellium nostrorum insultus potentius defendat, ipsam in comitem Waterford, una cum stilo et titulo ac nomine et honore eidem debitis ordinamus et creamus, habendum to the said earl and his heirs males of his body ;* and further, by the said letters patent, did grant the castles, lordships, honours, lands, and manors of Dungarvon to the said earl and the heirs males of his body, to hold the premises of the king, and his heirs, by homage and fealty, and by the service of his being his majesty's senechal in the realm of Ireland ; afterwards in the parliament called des absentees, holden at Dublin, in Ireland, the 10th May, the 28th of Henry the Eighth, by

reason of the long absence of George Earl of Shrewsbury out of this realm: it was enacted, that the king, his heirs and assigns, shall have and enjoy in the right of his crown of England, all honours, manors, castles, lordships, franchises, hundreds, liberties, count palatines, jurisdictions, annuities, fees of knights, lands, tenements, &c., and all and singular possessions, hereditaments, and all other profits, as well spiritual as temporal whatsoever, which the said George Earl of Shrewsbury and Waterford, or any other person or persons had to his use, &c. King Henry the Eighth, by his letters patent, the twenty-ninth of his reign, reciting the said statute *des absentees*, *nos præmissa considerantes et nolentes statum, honorem, et dignitatem prædicti comitis diminuere, sed amplius augere, de certâ scientia et mero motu*, did grant to the said earl and his heirs, the abbey of Rufford, with the land thereto belonging in the county of Nottingham, and the lordship of Rotherham in the county of York, the abbies of Chesterfield, Shirbrook, and Glossadel in the county of Derby, with divers other lands and tenements of great value, to be holden in capite: and the questions were:

1st.—Whether by the long absence of the Earl of Shrewsbury out of Ireland, by reason whereof the king and his subjects wanted their defence and assistance there, the title of the honour be lost or forfeited, the said earl being a peer of both realms, and residing here in England.

2ndly.—Whether by the said act *des absentees*, anno 28, Henry the Eighth, the title of the dignity of the Earl of Waterford, be taken from the said earl; as well as the manors, lands, tenements, and other hereditaments in the said act specified.

And afterwards, by other letters patent of the Lords of the Council, dated 27th September, 1612, the two chief justices and the chief baron were required to consider of the case, which was enclosed within their letters, and were to certify their opinions of the same.

Which case was argued by counsel learned in the law, in behalf of the said earl, before the said chief justices and chief baron, upon which they have taken great consideration and advisement, after they had read the preamble, and all the said act of the 28th Henry the Eighth, it was unanimously resolved by them all, as followeth:

As to the first, it was resolved, that forasmuch as it does not appear what defence was requisite, and that the consideration executory was not found by office to be broken as to that point, the said Earl of Shrewsbury, notwithstanding, does remain Earl of Waterford.

As to the second, it was resolved, that the said act of the 28th of Henry the Eighth *des absentees*, doth not only take away the possessions which were given to him at the time of his creation, but also the dignity itself; though one may have a dignity without any possession at *sustinendum* et onus, yet it is very inconvenient that a dignity should be with poverty: and in cases of writs, and such other legal

proceedings, he is accounted in law a nobleman, and so ought to be called, in respect of his dignity : but yet, if he want possessions to maintain his estate, he cannot press the king, in justice, to grant him a writ to call him to the parliament : and so it was resolved in the case of the Lord Ogle, in the reign of Edward the Sixth, as the Baron of Burleigh, lord treasurer of England, at the parliament anno 35 Elizabeth. did report ; and, therefore, the act of the 28 H. 8, (as all other acts ought to be) shall be expounded to take away all inconvenience, and therefore by the general words of the act, viz : " of honours and hereditaments, the dignity itself, with the lands given for maintenance of it, are given to the king, and the dignity is extinct in the crown." And the cause of degradation of George Nevill, Duke of Bedford, is worthy the observation, which was done by force of an act of parliament, 16th June, 17 Edw. IV., which act reciting the making of the said George duke, doth express the cause of his degradation in these words : " and forasmuch as it is openly known that the said George hath not, or by inheritance may have, any livelihood to support the same name, estate, and dignity, or any name of estate ; " and oftentimes it is to be seen, that when any lord is called to high estate, and hath not convenient livelihood to support the same dignity, it induceth great poverty and indigence, and causeth oftentimes great extortion, imbracery and maintenance to be had, to the great trouble of all such countries where such estate shall happen to be : wherefore, the king, by the advice of his lords spiritual and temporal, and by the commons in the present parliament assembled, and by the authority of the same, ordaineth, establisheth, and enacteth, that, from henceforth the same creation and making of the said duke, and all the names of dignity given to the said George, or to John Nevill, his father, be from henceforth void and of none effect, &c. In which act, these things may be observed.

1.—That although the duke had not any possessions to support his dignity, yet his dignity cannot be taken away from him without an act of parliament.

2.—The inconveniences do appear where a great state and dignity is, and no livelihood to maintain it.

3.—It is good reason to take away such dignity by act of parliament : and therefore the said act of the 28 H. 8. shall be expounded according to the general words of the writ, to take away such inconvenience : and although the said Earl of Shrewsbury be not only of great honour and virtue, but also of great possessions in England, yet it was not the intencion of the act to continue him earl in Ireland, when his possessions in Ireland were taken from him, but that the king at his pleasure might confer the dignity as well as the possessions to any other, for the defence of the said realm. And the said letters patent de anno 29 H. 8. have no words to restore the dignity which the act of parliament hath taken away, but it was not the intent of the king *diminuere statum, honorem, et*

dignitatem ipsius comitis, but augere his possessions for maintenance of his dignity, for so much appears by this word *augere*: for he doth, by the said letters patent, with exceeding great bounty, increase the revenues of the said earl in England, which the king did think was an increase of large possessions in England, instead of all that which was taken away from him by the act of the 28th of Henry the Eighth.

And whereas it was objected, that the general words honours and hereditaments, are explained and qualified by the said words relative subsequent, "which the said George or any to his use hath;" and therefore it shall not be intended of any honour or hereditament, but of such whereof others are seized to his use, and no man can be seized of the dignity, and therefore that the said act doth not extend to it: but that it is to be understood *reddendo singula singulis*, and these words, "which the said George Earl hath," are sufficient to pass the dignity: and with this agrees the opinion of all the judges of England in Nevill's case, upon the like words in the statute of the 28th of Henry the Eighth, in the seventh part of my reports, fol. 33 and 34."*

It appears from this case that the spirit of the constitution condemns absenteeism, as an evil both to the king and people. It is clear that there was a tacit condition annexed to the grant of these immense estates to the barons, involving personal residence on the lands they held. They stood, as it were, between the crown and the subject, acting on the one hand as local lieutenants for the sovereign to preserve his prerogative and coerce rebellion, and on the other hand as conservators of the rights of the people among each other. Their duties, therefore, were not confined simply to legislation, as is the case with modern peers, for they also were obliged to see that the laws were enforced and obeyed in their respective neighbourhoods. "For those who are earls," says Lord Coke, "have an office of great trust and confidence, and are created for two purposes: to advise the king in time of peace, and defend the king and country in time of war: and, therefore, antiquity hath given them two ensigns to resemble those two duties: for first, their head is adorned with a cap of honour and coronet, and their body with a robe in resemblance of counsel: secondly, they are girt with a sword in resemblance that they should be faithful and loyal to defend their prince and country."†

The only excuse for a baron being absent from his estates, was personal attendance on the king, either in the senate or the field, but with these two exceptions it was a condition tacitly annexed, as Lord Coke expressly declares, to the estate of the dignity that he should reside on his baronial lands, for otherwise he would not have been able to advise the king in time of peace, and therefore must have failed in his feudal obligation. But, by living constantly among his tenants, he acquired a

* Coke's Reports, Part 13, page 106 et seq.: Oct. Edit. 1793, Dublin.

† Nevill's Case, Coke's Reports, 7th Part, p. 129.

real knowledge of their wants and wishes, and had opportunities of collecting local information which it was his duty to submit to the king when cited to attend at council. In conformity with these principles, the Earl of Shrewsbury forfeited his Irish estates, being a notorious absentee; "by reason whereof the king and his subjects wanted their defence and assistance there."

I am not aware whether the 28 H. 8. is repealed: if it still remains among the statutes, the sooner it is enforced the better; and if it be abrogated, a new law on the subject ought to be enacted in the spirit of the ancient one. This would effectually put an end to absenteeism, and create throughout Ireland a local resident gentry, who would spend their rentals among their tenants, instead of purchasing palaces at Florence and Naples. The same rule, founded in the spirit of the constitution, applies to the non-residence of the clergy, who have no absolute property in their benefices, but are trustees subject to the performance of a certain duty, to wit, the cure of souls. We may detect vestiges of the old system in modern practice. Noblemen quitting England for the Continent attend his majesty's levee to take leave, and again present themselves on their return, so that what was once compulsion, has been softened down into courtesy. In Russia, however, the rule seems to be stricter, as no nobleman quits that country for foreign travel without obtaining the formal permission of the emperor, a practice quite consonant with the spirit of feudalism, "for no lord shall quit the realm without notice to the king, lest his services should be wanted."

Another wholesome provision in the ancient constitutional law, to which the attention of the conservatives is invited, deprived a peer of his rank and privileges when his fortune was dilapidated, as appears from the remarks in the case of George Nevill, Duke of Bedford, embodied in the report of the case of the Earl of Shrewsbury. It is most desirable that this rule should be revived, by which many sinecures and pensions would be got rid of. It would also prevent that patronage and favoritism which prevails in naval and military promotions, in ecclesiastical preferments, and colonial appointments, the vast majority of which are conferred on the younger sons of needy lords, whose sole qualification consists in the richness of their blood and the poverty of their purse.

It would no doubt be difficult to fix a pecuniary standard for the peers, which would be free from every captious objection, as in all questions of this nature some line of demarcation must always be drawn. But there is no difficulty whatever in laying down the principle of the law. Many of our hereditary legislators are notoriously bankrupts, their estates being mortgaged for their full value: many live by open gaming: many are dependent on the minister of the day for jobs and places. Against them, the law could clearly be enforced, giving them however a fair trial, that they might show cause why their degradation should be suspended. Such

a measure would be only an act of justice to solvent peers, who are above the temptation of any ministerial bribe. It would purify the "order" from those stigmas which now attach to it, and we should no longer hear of our hereditary legislators colluding with jockeys to swindle on the turf, associated with common blacklegs in the management of a "hell," or making matrimonial excursions to the eastward of Temple Bar, to swap a coronet against the money bags of some successful stock jobber. If we are to have exclusiveness, let it be that of honour among the men and chastity among the women: it will then endure, because it will be respected.

Our ancestors, however, reduced this question into arithmetical precision, as we learn from the remarks of Lord Coke in his report of Nevill's case cited above. "And it is to be known that as in ancient times the senators of Rome were elected a *censu* of their revenues, so here in ancient times in conferring of nobility, respect was had to their revenues, by which their dignity and nobility might be supported and maintained. And therefore a knight ought to have £20 land per annum. A baron thirteen knights' fees and a quarter: an earl twenty knights' fees, (for there was not any duke in England from the time of the conquest until 11 Edw. III, and the Duke of Cornwall was the first duke after the conquest in England.) And that appears by the statute *Magna Charta*, c. 2. For always the fourth part of such revenue, which is requisite by the law to the dignity, shall be paid to the king as a relief: for the relief of a knight's fee is £5, which is the fourth part of £20, which is a knight's revenue: and the relief of a baron is 100 marks, which is the fourth part of his revenue, viz. 400 marks, and includes thirteen knight's fees and a quarter: and the relief of an earl is £100, which is the fourth part of £400, which is the revenue of an earl. And it appears by the records of the exchequer, that the relief of a duke shall amount to £200, and by consequence his revenue ought to be £800 per annum, and that is the reason in our books that every one of the nobility is presumed in law to have sufficient freehold *ad sustinendum nomen et onus*, for supporting his rank and the burthen of it."

It was by reason of this legal presumption that the persons of peers of the realm were privileged from arrest for debt. Of this we have proof in the case of Isabel, Countess of Rutland, who, being a widow, was arrested by certain serjeants at mace, in consequence of which the attorney general lodged an information against them for false imprisonment. The arrest, be it observed, was not an initiatory proceeding before trial, but a *capias ad satisfaciendum*, on a judgment in debt given against her in the common pleas. The arrest was set aside, and the serjeants at mace punished, the judges having decided:

"That the person of one who is in law a countess by marriage or by descent, is not to be arrested for debt or trespass: for although, in respect

of her sex, she cannot sit in parliament, yet she is a peer of the realm, and shall be tried by her peers, as appears by the statute 20th Henry the Sixth, which was but a declaration of the common law. And there are two reasons why her person should not be arrested in such cases; one in respect of her dignity, and the other in respect that the law doth presume that she *hath sufficient lands and tenements in which she may be distrained*. And both these points are well confirmed by our books, 11th of Henry the Fourth, 15 b., in a homine replegiando, against the Lady Spencer; it appears that the Lady Spencer was a peer of the realm, and that in debt or trespass, *capias* lieth not against an earl, baron, or baroness, *et hujusmodi*, for because of their estate and dignity *they are intended (presumed) to have sufficient*. 3d of Henry the Sixth, 48, a. An action of debt was brought against a man and his wife, Countess of D., against whom an exigent was prayed. Newton: you cannot have an exigent against an earl, and no more against a countess; and Fulthorpe there said, that the reason thereof was not only, because it cannot be intended *that an earl can be without lands*, but another reason is, for the dignity of his name."*

Members of the House of Commons are privileged from arrest for debt on the fiction of their attending to their senatorial duties, and the same plea is usually set up for the hereditary peers. But it is clear, from the case of the Countess of Rutland, that this is an erroneous view of the subject, it being most specially and distinctly declared that the privilege hinges on the supposition of their possessing sufficient freehold to support their dignity, and not at all on account of their legislative functions, for their very rank as peers was forfeited through poverty, as we have shown in the case of Nevill, Duke of Bedford, and of course the deprivation of rank excluded them from a seat in the House of Lords.

At the present time, it is confessed on all hands that the House of Peers stands as much in need of reform as the House of Commons did, before it was purified by Earl Grey. The argument which disfranchised the rotten boroughs affirmed that the elective franchise was a trust, and not a property. The same constitutional argument may be applied, with equal, nay with increased force, to the hereditary legislators, for the old law annexed two conditions absolute to the peerage; first, that every lord should reside on the lands of his barony: secondly, that he should possess sufficient freehold to maintain his dignity. Now, let these two conditions be applied to the modern peers, and a wholesome reform, bottomed on the spirit of the constitution, would be at once effected. We are far from thinking that such a reform would go far enough, because hereditary legislation is founded in folly, and quite at variance with the spirit of the age, and the existing interests of society. No legislative power ought to exist but what is delegated, for assumed power is usurpation and tyranny.

* Coke's Reports, Part 6, p. 52.

But even the application of the old law would root out many abuses, and prepare the way for ulterior improvements ; and prudence admonishes all clear-sighted reformers to take their political debt by instalments.

ON CRUELTY TO ANIMALS.

THERE is no man of feeling, who has any idea of justice, but would confess, upon the principles of reason and common sense, that if he were to be put to *unnecessary* and *unmerited* pain by another man, his tormentor would do him an act of injustice : and from a sense of injustice in his own case, now that he is the sufferer, he must naturally infer, that, if he were to put *another* man of feeling to the same unnecessary and unmerited pain which he now suffers, the injustice committed by himself towards his neighbour would be exactly the same as the injustice of his tormentor towards him. Therefore, the man of feeling and justice will not put another man to unmerited pain, because he will not do that to another, which he is unwilling should be done unto himself. Nor will he take any advantage of his own superiority or strength, or of the accidents of fortune, to abuse them to the oppression of his inferior ; because he knows that in the article of *feeling* all men are equal : and that the differences of strength or station are as much the gifts and appointments of God, as the differences of understanding, colour, or stature. Superiority of rank or station may give ability to communicate happiness, and seems so intended, for we are admonished “that unto whom much is given, of them much will be required ;” but it can give no right to inflict unnecessary or unmerited pain. A wise man would impeach his own wisdom, and be unworthy of the blessing of a good understanding, if he were to infer from thence that he had a right to despise or make game of a *fool*, or put him to any degree of mental pain. The stupidity of the fool ought rather to excite his compassion, and it demands the wise man’s care and attention to the deficiencies of him who cannot protect himself.

It has pleased God, the Father of all men, to cover some with white skins, and others with black skins : but as there is neither merit nor demerit in complexion, the *white* man (notwithstanding the barbarity of prejudice and custom) can have no right, by virtue of his *colour*, to enslave, and tyrannize over, a *black* man ; nor has a *fair* man any right to abuse, despise, or insult a *brown* man. Nor has a *tall* man, by virtue of his stature, any right to trample a dwarf beneath his foot. For whether a man is wise or foolish, white or black, fair or brown, tall or short, and we may add, *rich* or *poor*, (for it is no more a man’s choice to be poor, than it is to be a fool, or a dwarf, or black, or tawney,) such he is by God’s appointment ; and, abstractedly considered, he is on these accounts neither a subject for pride, nor an object for contempt. Now, if

among men, the differences of their mental powers, of their complexion, of their stature, of their wealth, do not give to any one man a right to abuse or insult any other man on account of these differences; for the same reason, a man can have no natural right to ill-treat or torment a beast, merely because a beast has not the mental powers of a man. For such as the man is, he is but as God made him; and the very same is true of the beast. Neither of them can lay claim to any *intrinsic merit*, for being such as they are; for, before they were created, it was impossible that either of them could deserve any particular mode of treatment; and at their creation, their shape, perfections, defects, and general qualities were fixed, and bounds set which they cannot pass. And being such, neither more nor less than God made them, there is no more demerit in a beast's being a beast, than there is merit in a man's being a man; that is to say, there is neither merit nor demerit in either of them.

A brute is an animal no less sensible of pain than a man. He has similar nerves and organs of sensation; and his cries and groans, in case of violent impressions on his body, though he cannot utter his complaints by speech, are as strong indications to us of his sensibility to pain, as the cries and groans of a *human* being, whose language we do not understand. Now, as pain is what we are all averse to, our sensibility of pain should teach us to commiserate it in others, to alleviate it if possible, but never wantonly or unmeritedly to inflict it. As the differences among men in the above particulars are no bar to their feelings, so neither does the difference of the shape of a brute from that of a man exempt the brute from feeling; at least, we have no ground to suppose it. But shape or figure is as much the appointment of God, as complexion or stature. And if the difference of complexion or stature does not convey to one man a right to abuse, or despise, another man, the difference of shape between a man and a brute, cannot give to any man the right to abuse or torment a brute. For He that made man and man to differ in complexion or stature, made man and brute to differ in shape or figure. And in this case likewise, there is neither merit nor demerit; every creature, whether man or brute, bearing that shape which Supreme Wisdom judged most expedient to answer the end for which the creature was ordained.

With regard to the modification of the mass of matter of which an animal is formed, it is *accidental* as to the creature itself: we mean, that it was not in the power or will of the creature to choose, whether it should sustain the shape of a brute, or of a man; and yet, whether it be of one shape or the other; or whether it be inhabited by, or animated by, the soul of a brute, or the soul of a man; the substance, or matter, of which the creature is composed, would be equally susceptible of feeling.* It is

* It is of no consequence as to the case now before us, whether the soul is, as some think, only a power, which cannot exist without the body; or, as is generally supposed, a *spiritual essence*, that can exist, distinct and separate from the body.

solely owing to the good pleasure of God, that we are created men, or animals in the *shape* of men. For, He who formed man of the dust of the ground, and breathed into his nostrils the breath of life that he might become a living soul, and endued him with a sense of feeling, could, if he had so pleased, by the same plastic power, have cast the very same dust into the mould of a beast; which, being animated by the life-giving breath of its Maker, would have become a living soul in that form; and in that form would have been as susceptible of pain, as in the form of a man. And if, in *brutal* shape, we had been endued with the same degree of reason and reflection which we now enjoy; and other beings, in *human* shape, should take upon them to torment, abuse, and barbarously ill-treat us, because we were not made in their shape, the injustice and cruelty of their behaviour to us would be self-evident; and we should naturally infer, that, whether we walk upon two legs or four; whether our heads are prone or erect; whether we are naked or covered with hair; whether we have tails or no tails, horns or no horns, long ears or round ears; or, whether we bray like an ass, speak like a man, whistle like a bird, or are mute as a fish; nature never intended these distinctions, as foundations for the right of tyranny or oppression. But perhaps it will be said, that it is absurd to draw such an inference from a mere supposition that a man *might* have been a brute, and a brute *might* have been a man; for, the supposition itself is chimerical, and has no foundation in nature, and all arguments should be drawn from fact, and not from fancy of what might be, or what might not be. To this we reply in few words, and generally; that all cases and arguments, deduced from the important and benevolent precept of *doing to others as we would be done unto*, necessarily require such kind of suppositions; that is, they suppose the case to be *otherwise* than it really is. For instance: *a rich man is not a poor man*; yet the duty plainly arising from the precept is this—that the man who is now *rich*, ought to behave to the man who is now *poor*, in such a manner as the rich man, *if he were poor*, would desire that the poor man, *if he were rich*, should behave towards him. Here is a case which does not in fact exist between these two men, for the rich man is not a poor man, nor is the poor man a rich man, yet the supposition is necessary to enforce and illustrate the precept; and the reasonableness of it is allowed. Now, if the supposition is reasonable in one case, it is reasonable, or at least not contrary to reason, in all cases to which this general precept can extend, and in which the duty enjoined by it can and ought to be performed. Therefore, though it be true that a man is not a horse, yet as a horse is a subject within the precept, that is to say, a horse is capable of receiving benefit by it, the duty enjoined in it extends to the man, and amounts to this—do you, who are a man, so treat your horse, as you would be willing to be treated by your master, in case that you were a horse. We see no absurdity or false reasoning in this interpretation of the precept, nor

any ill consequence that can arise from it, however it may be gainsaid by the barbarity of custom.

In the case of cruelty from man to man, the oppressed individual has a tongue that can plead his own cause, and a finger to point out the aggressor. All men that hear of it shudder with horror; and, by applying the case to themselves, pronounce it cruelty with the common voice of humanity; and unanimously join in demanding the punishment of the offender, and brand him with infamy. But in the case of cruelty to brutes, the dumb beast can neither utter his complaints to his own kind, nor describe the author of his wrong; and, even if he could, they have not in their power to redress and avenge him.

In cases of cruelty from man to man, there are courts and laws of justice in every civilized society, to which the injured man may make his appeal: the affair is canvassed, and punishment inflicted in proportion to the offence. But, alas! with shame to man, and sorrow to brute, we ask the question, What court of judicature exists, in which the suffering brute may bring his action against the wanton cruelty of barbarous man? The laws of Triptolemus are long since buried in oblivion, for Triptolemus was but a heathen. No friend, no advocate, not one is to be found among *bulls nor calves* of the people to prefer an indictment on behalf of the brute. The priest passes by on the one side, and the Levite on the other side; the Samaritan stands still, sheds a tear, but he can do no more; and the poor, wretched, unbefriended creature is left to mourn in unregarded sorrow, and to sink under the weight of his burden.

But suppose the law promulgated and the court erected. The judge is seated, the jury sworn, the indictment read, the cause debated, and a verdict found for the plaintiff. Yet, what costs or damages are awarded? What is the recompense for loss sustained? In actions of humanity, satisfaction may be made. In various ways you may make amends to a man for the injury you have done him. You know his wants, and you may relieve him. You may give him clothes, or food, or money. You may raise him to a higher station, and make him happier than he was before you afflicted him. You may be feet to the lame, and eyes to the blind. You may entertain him, keep him company, or supply him with every comfort, convenience, and amusement, which he is capable of enjoying. And thus you may make some atonement for the injury you have done to a man. But what is all this to an injured brute? If, by passion or malice, or sportive cruelty, you have broken his limbs, or deprived him of his eye-sight, how will you make him amends? You can do nothing to amuse him. He wants neither your money nor your clothes. Your conversation is to him valueless. You have obstructed his means of getting subsistence; he can no longer work to your profit, and instead of providing him with a hospital, you sell his carcase to feed your dogs. You add ingratitude to cruelty, and avarice to ingratitude.

THE PRETENDED DAUPHIN.

OUR readers are aware that after the execution of Louis the Sixteenth and Marie-Antoinette, a numerous section of the royalist party were firmly convinced that their son, the dauphin, was alive, and they eagerly looked forward to a political reaction which might enable the young prince to emerge from concealment and ascend the throne of his ancestors. An individual, named Jean-Marie Hervagault, availed himself of royalist credulity, and announced himself as Louis the Seventeenth. We shall first relate this story, as it has been placed on the records of the government and their tribunals; and afterwards, as the hero of this romantic adventure and his partizans have wished to represent it.

This impostor was the son of a tailor at St. Lo, of a prepossessing figure, features bearing great resemblance to those of Louis the Sixteenth, fair, slender, lively, communicative, without suspicion, quickly penetrating, and feigning innocence in a masterly manner; of course a person of great natural capacity, but of no education. By some he was supposed to be a natural son of the Duke of Valentinois, who possessed estates in Normandy. The strange events of the revolution disordered his senses: he saw that many had raised themselves from obscurity, and he wished to do the same. In September, 1796, he left his father's house; and strolled as a vagabond about the country, declaring himself to be the son of a family of rank, reduced to distress by the revolution. His youth, his innocent appearance, and the plausibility of his tale, every where procured him a favourable reception and relief. He had no passport, but was never asked for one. He became bolder, and was tempted to carry on his trade in the towns. He came to Cherbourg, but was soon apprehended as a vagrant. His father, the tailor, being apprized of this, hastened to fetch him, and was not a little surprised to find him richly provided with money and jewels. He brought him back to St. Lo, where the brisk young blade did not, however, stay long, but soon ran away a second time, strolling through the department of Calvados; and having improved both in body and mind, he became more ingeniously inventive in his stories than at first. He sometimes passed for a son of the Prince of Monaco, and sometimes for the heir of the Duke d'Urselles, in the Netherlands. He thus raised himself step by step, and ere long made himself a relation of Louis the Sixteenth, of the Emperor Joseph the Second, and of the king of Prussia. For the sake of his safety, which was threatened, he travelled in women's clothes, pretending that he was just arrived from England, whither he had been taking some money to his emigrant father.

Many, very many persons of rank and education were deceived, and became in some sense willing dupes, because he flattered their former prejudices; and the ladies in particular showed a decided partiality for

him, because he addressed their hearts, and worked upon their tenderness. His adventures began to attract some notice, and he was arrested a second time in female attire, and conducted to prison at Bayeux, at the distance of only ten leagues from St. Lo. His father came again to procure his deliverance, which, in consideration of his youth, was indulgently granted; and the lad was a second time replaced under paternal authority. He was now to learn the trade of a tailor, an insufferable thought to his romantic mind. He broke loose a third time.

In 1797, he was in the diligence between Laval and Alençon, very plainly and decently habited according to his sex. Not far from the latter place he alighted, and ran off to a village by the road side, called *Les Joncherets*. Being benighted, he begged quarters of a peasant, who directed him to the house of *Mademoiselle Talon Lacombe*, for better accommodation. To this lady he declared himself to be one of the family of *Montmorency*, who had a castle and estates near *Dreux*, but was obliged to fly from his persecutors. She conceived a lively interest for his situation, and supplied him with money and clothes, which he promised to repay on his arrival at *Dreux*. Here he lived for a while much at his ease, acted the part of a man of quality, and presented, for instance, the ostler, who saddled his riding horse, with a *louis-d'or*.

At last he found himself induced to set off, and *Mademoiselle Lacombe* accompanied him to *Dreux*, to get back the value of what she had advanced him. They safely reached the place; but both castle and estates had vanished. Could any thing be more natural? The revolution accounted for every thing. Poorer by fifty *louis-d'ors*, and somewhat richer in experience, the lady returned home. The young adventurer continually gained in boldness. In the month of May, 1798, he ventured, in the diligence, to *Meaux*, only eight leagues distant from Paris, and alighted at the inn, where he indeed obtained some refreshment; but having no passport, the landlord refused him a night's lodging. The wife of a Paris merchant, named *Laravaine*, who happened to be at *Meaux*, took pity on him, and permitted him to sleep in her warehouse. This encouraged him to seek further favours, and he succeeded in obtaining them. He represented himself as a rich farmer's son from *Domery*, who had absconded to avoid being enrolled as a recruit, and madame made him a present of four *louis-d'or*, upon which he took a place in the diligence for *Strasbourg*.

About one league from *Chalons* he disappeared, and the postillion in vain waited his return. He went to the village of *Mery*, and wished to make good his story at the castle of *Guignacourt*; but, being suspected, he was put under arrest, and taken before the justice of peace at *Cernon*. Being asked who he was, he replied with an air of affected mystery, "He had no answer to make to such a question." He was sent to *Chalons*, where, being again asked to give his name, he proudly said, "You will

learn it but too soon." At last he said, he was called Louis-Antoine-Jean François de Langueville; that his father was dead, and that his mother, Madame Saint-Emilie, lived at Beauzeville, near Pont Ademar, in the department of Eure. It must be confessed, that no lie could have been told more circumstantially.

Confined in the prison of Chalons, Hergavault assumed an air of grandeur, and a mysterious deportment: he tempted the curious, gave significant hints, and, in short, ere long, it was whispered about: He is the Dauphin! the son of Louis the Sixteenth. The jailer himself believed the story, and advanced him money. The wives of two merchants of the towns of Saignes and Felize, were initiated in the secret, which soon spread about; and no one any longer doubted. His figure, his manners—"You need but see him," exclaimed these credulous enthusiasts, "to recognize him at the very first look."

All the inhabitants of Chalons, of the privileged orders, were by degrees made confidants and adherents; and they all vied with each other in supporting this ill-fated offspring of their kings. His table was daily served with dainties of every description—his rooms were elegantly furnished—masters were given him—the jailer treated him with deference and respect: he was allowed to walk about as often as he pleased, but always in the disguise of a female; in fine, his dungeon was, as it were, metamorphosed into a pleasure house.

Meanwhile the persons who were let into the secret were not sufficiently discreet. A word dropped here and there, in the gladness of their hearts, aroused the vigilance of the magistrates; and, after this masquerade had been played two months, Hervagault was made to undergo stricter examinations. With artifice and gestures, that seemed to belie his words, he now declared that he was the son of a tailor at St. Lo. The father was applied to in writing, confirmed the truth of the declaration, and the offender was sentenced to one month's imprisonment. This mild punishment was considered a victory by those who thought they really knew the secret; during his trial, they trembled lest the real origin of the prisoner should not escape detection. In order to free him from the prying vigilance of the police, they abundantly furnished him with money and jewels, and thus facilitated his retreat. He was very satisfied with the issue, and now began to act his part at Vire, in the department of Calvados. Here he made but a few proselytes, was soon arrested again, and with greater severity doomed to two year's imprisonment. As the inhabitants of Vire only considered him a young vagabond, he would have passed those two years very sorrowfully had not his faithful adherents at Chalons continued to support him, on which occasion the consoling Madame Saignes conducted the correspondence. This woman really wished him well, and advised him to apply the time of his confinement to the improvement of his education; but he gave way to drinking, and at

the end of two years left the prison worse than when he entered. Madame Saignes herself went to fetch him from Vire to Chalons, into the bosom of his faithful and devoted friends. The most splendid preparations were made for his reception. He arrived, received congratulations, had flowers strewed at his feet, and was treated with the most distinguished respect. In short, the horn of plenty was again most copiously poured out on the tailor's son, of St. Lo.

When the police discovered these proceedings, his partisans, upon deliberation, found it expedient to send the dauphin on his travels. His route was so contrived that he every where found confidential friends, who, being previously informed of his supposed high birth, shewed him all the respect due to that exalted station. He was once at Rheims, twice at Vitry le Français, and often at different country seats, where balls, concerts, and feasts of every kind, were given in honour of him. At Vitry he was splendidly lodged at the house of Madame de Rambecour, whose husband closely followed all his footsteps, waited upon him with the most attentive zeal, and served him like a valet. On St. Louis's day, a superb fête was prepared for him, it being the feast of the saint whose name he bore. The ladies sang songs composed in his honour. In the confidential circles which he frequented, they always called him, *Mon Prince*. His portrait was handed about as that of the dauphin, and it was reported that the pope himself had imprinted a mark on his leg, to verify his identity. Finally, a letter was handed about from a bishop, in which this deluded prelate writes in expressions of the profoundest respect for this young vagabond; and, by his example, convinced many who were still wavering in their belief. Already was a court formed round Louis the Seventeenth; he had immediately his favorites, and was going to nominate those who were to hold the great offices of his household. Many names of consequence were to be found among them. They all glowed with enthusiasm, and prepared to make the greatest sacrifices. Men of birth and rank deemed themselves fortunate in being permitted to perform the meanest drudgery of menial service for him. Misers turned spendthrifts, that they might have the honour of entertaining him. It was very natural that such proceedings should not escape the eye of a vigilant police. Fouché was informed at Paris of all that was going forward at Vitry; and a warrant put an end to the farce. But when taken into custody, Hervagault conducted himself with a loftiness and dignity that struck all present with a kind of dubious awe. His most downcast confidants surrounded him with the most heartfelt reverence; one of them, highly moved, begged leave to embrace him, and the tailor's son negligently tendered his hand to kiss. The very first night of his incarceration, a most splendid feast was given at the prison. Intercessions were made for his release upon bail, but in vain; all that could be obtained was to mitigate, as much as possible, the rigours of his captivity.

He was constantly served in the most sumptuous manner, and so accustomed to this style of living, that once a chicken, a pigeon, with a salad and custard, being served for his supper, he thought proper to find the fare insufficient, and indignantly dashed the mess on the ground. Adnet, the notary, called him, in his prison, monseigneur, and was most graciously rewarded with the appellation of, mon petit page, mon petit valet de chambre d'amitié. Going to mass, a servant carried his prayer book and cushion. He appointed a secretary, and made him sign in the name of Louis Charles. "Where a man bears a great name," said he to the magistrates, "he is sure to be exposed to persecution." The mayor of Vitry, owing to the great concourse of people, found himself, at last, under the necessity of putting him into close confinement, and at the same time, intercepted the enormous supplies of wine and good cheer sent for his use. No person, but those absolutely necessary to attend him, was permitted admission without a ticket.

Meanwhile, his offence was by no means considered in a political view but merely as a matter belonging to the correctional police, to the enquiry and punishment of which tribunal it was accordingly left. Madame Saignes was also taken up as his accomplice: but there being no proof to convict her, she was acquitted. Hervagault, in the beginning of the year 1802, was sentenced to four year's imprisonment, as a sharper, and abuser of the credulity of the people, and confined in the house of correction at Ostend. Both the delinquent and the attorney-general, though upon different grounds, appealed against this sentence to the government.

The affair was now to be treated at Rheims, when a new and very important actor suddenly burst on the scene of this tragi-comedy. The aged bishop of Valence, a man venerable for his integrity, universally respected for the austerity of his manners, and his profound learning, expressed his conviction, that Hervagault was the real and genuine dauphin. He had even spoke to the surgeons who had anatomized the corpse of the pretended dauphin in the temple, and he declared that they had assured him it was not the real one. He resolved upon freeing his young monarch from the chains of captivity, lent out considerable sums to effect this purpose, abandoned the very functions of his office, came to Rheims, corresponded with the prisoner by bribing the keeper of the jail, and thought himself sure of his being the identical person. The dauphin's death appeared to him to be a mere political lie of the national convention. He resolved to give a good education to the neglected prince, and endeavoured to accomplish this end with the purest and sincerest intentions. He sent him, amongst other works, one day, *Le Génie du Christianisme*, by Chateaubriand, and the tragedy of *Athalie*, upon which he received to his surprise this answer: "Do you mock me? all this I know by heart!"

All the fears of the prelate were, lest the object of his care should be sentenced to transportation. To prevent this, he strained every nerve,

and made use of the interest of every friend he could command in Paris. He drew up a list of those persons to whom he intended to entrust the fate of the dauphin. In it were found, among others, the names of Brissac, Necker, Madame de Stael, Montesson, Roquelaure, Angouleme, Talleyrand, Puy de Segur, Bosfilers, La Harpe, &c. ; some believed him, others did not ; some called him a Blondel, others a Joab. The correspondence was carried on in cyphers : it even went so far, that the project was formed to marry the dauphin with a distant relation of the royal family. Hervagault seemed at first to waive the proposal, for he had (as the reader will be presently informed,) sworn the oath of fidelity and affection to the queen of Portugal's most amiable sister, but, from political motives, he yielded, and it was resolved to raise levies of men for his service.

But ere these negotiations could possibly ripen, the trial before the criminal tribunal at Rheims was once more publicly revived, and that in the presence of a numerous crowd of people, who (all were in favour of the accused,) loudly murmured against the prosecuting attorney-general, and with enthusiastic fervour applauded the official defender of Hervagault. The judges, however, would not suffer themselves to be misguided, and confirmed the original sentence. While they were deliberating on the subject in another room, the most painful anxiety was depicted in the countenance of every spectator in court. Hervagault heard his sentence with composure, with a smile of contempt ; and his partisans, instead of giving credit to the juridical decision, obstinately persevered in their former pre-conceived opinion. They continued to wait upon him with royal service in the place of his detention. He had by him, amongst other effects, a silver cup, on which were the letters L. C. (Louis Charles) engraved and decorated with an antique French crown. This he pretended to the jailer was his cypher. None of his adherents deserted his cause ; on the contrary, their zeal redoubled, and the venerable bishop always headed them. Nay, the latter did not confine his zeal to presents and good advice, he even resolved most actively to exert himself ; and being informed that it was intended to bring his illustrious pupil from Rheims to Soissons, he determined to rescue him on the road from the hands of his persecutors. This youthful project of an old head was betrayed ; the bishop and his papers were seized ; and it evidently appeared, upon proof, that it was his intention to make the tailor's son, of St. Lo, act the part of the dauphin.

The government, however, had compassion on the hoary dotard, and gave him his liberty. Hervagault himself had fared better, if the least prospect of amendment had appeared in his conduct ; but as he formed another junta of partisans at Soissons, it was thought proper to make him disappear.

In order to render it conceivable how so many persons of rank and knowledge of the world, should have suffered themselves to be made the

dupes of this raw youngster, people themselves ought to have heard him tell his story. With great emotion he would remember how Louis the Sixteenth, his father, used to give him lessons in history and geography in the temple. In the tone of the most ingenuous simplicity, he would talk of a little bitch called Fidèle, of which Marie-Antoinette, his mother, was very fond.

The most minute details he described with infantine vivacity, nor did he forget that Simon, his jailer, used to wake him in the dead of night, to convince himself that he had not been carried off. "I was obliged," said he, "to perform the meanest drudgery, which affected my health. The ninth Thermidor alleviated the miseries of many victims of the revolution, as well as mine; they gave me better clothes, more wholesome victuals, and even allowed me the diversions suitable to my age. My sister was permitted to come to me, to eat and play. What a moment was the first of our re-union! (he always wept bitterly when speaking of this interview.) Meanwhile my health became continually more impaired, and the prison air must have killed me, had not the Lord decreed to send me relief. One day, about the latter end of May, 1795, as I was just going to doze, one of my keepers, whom I always liked for his mildness, accosted me, and whispering, said: 'My dear child, you would soon die in this prison, but people who love you, though utter strangers, let you know, that if you keep the secret, they will soon bring you to a place where you shall be at full liberty, and play with children of your own age.' I swallowed his words with avidity, promised to reveal nothing, and waited with anxiety the fulfilment of promise. On the following evening, about the same time, a cart with clean linen came into the court-yard to be unloaded, and to take in another quantity of foul. Among this linen was laid concealed a very sickly looking child, about my age. A strong man, in sailor's dress, took me in his arms, put me amongst a parcel of the foul things, and only a small aperture kept me from suffocation; the last thing that I saw in my prison was the sick child, whom they put in my bed. I was rather roughly flung into the bottom of the cart, and without further obstruction conveyed to Chatillot. As soon as we got out of the temple, they gave me a little more air, but on approaching the barriers they covered me again entirely. At Vassy, I was carried, still packed up, into a low room, where I was quite at liberty. Here I saw three strange men, who threw themselves at my feet, and seemed to be quite beside themselves with joy. They quickly put on me female attire, placed me in a post-chaise, and drove along the road to La Vendée, to the army of the royalists. How it came about that I should be liberated, I was not informed till a long time afterwards. After Robespierre's fall, the ruling factions were divided amongst themselves, and many were not disinclined to the restoration of royalty; overtures were made to the Vendean royalists, and negotiations opened

with them by Rouelle, a member of the national convention ; and one of the conditions which the former insisted upon was, my being delivered up to them ; to which, however, the committee of public welfare added the restriction, that my deliverance should at first be kept a secret, and another child substituted in my place. After long and violent debates, the royalists assented to the measure. The only difficulty was to find a proper subject of a child, to replace me. Count Louis de T—— undertook it, and sent the Abbé Laurent for this purpose into Normandy, attended by his adjutant, Du Hamel. They bribed one Hervagault, a tailor, of St. Lo, to sacrifice, for a consideration of 200,000 francs, for the general good, his son, who resembled me. They otherwise assured the tailor that he had nothing to dread for his son's life, and they even concealed it from him that the stripling should be lulled into a sound sleep by means of a strong dose of opium.

“There were but three persons in the temple who knew the secret ; this was the jailer's wife, the above-mentioned turnkey, and the sweeper of the prison. It was the latter who carried me out, and delivered me at Vassy to Messrs. De T——, du Chatelier and Abbé Laurent. Two hours after my deliverance, the celebrated Dessault, to whose care I had been entrusted, came into the temple, when the too strong dose of opium had lulled the child, which was laid in my bed, into a lethargic slumber resembling death. Dessault was going to feel his pulse without waking him, but on laying his hand upon his body, he perceived such a difference between it and mine, that he uttered a shriek, and his amazement was changed into the most violent fright, when, upon close inspection, no doubt remained of its being another child. He remained near a full hour in mute amazement. He considered his responsibility, the danger he was in, and finally resolved to screen himself by sending a secret report, perfectly congenial to the truth, to the committee of public welfare, where Rovere, the then president, who was in the secret, was sitting ; after the first paroxysms of violence in his astonished and furious colleagues had subsided, he proved to them that silence would be the best remedy, particularly so as there was every appearance that the strange and sickly child would die, in which case it would be perfectly easy to persuade all Europe that the real dauphin was dead.

“Dessault was summoned before the committee, and loaded with such bitter reproaches that, overwhelmed with grief and vexation, he fell into a disease which, baffling all the skill of medicine, proved fatal to him. My little substitute died likewise. Dessault's successor, upon dissection of the body, was equally sensible that it was not mine, and, consequently, made use of the following equivocal phrase in the procès verbal : ‘ Nous sommes procédés à l'ouverture d'un cadavre que les commissaires nous présentèrent comme celui du fils de Louis Capet.’ i. e. ‘We proceeded to the opening of a corpse, which the commissioners presented to us as that of the son of Louis Capet.’

"In the mean time, I kept lolling in the carriage upon the high road with my deliverers. The fresh air and the jolting of the vehicle, at first, made me swoon away, but getting habituated to both, the free aspect of nature afforded me unspeakable delight. Motion, of which I had been so long deprived, and the good substantial food I was now supplied with, visibly strengthened my health. We safely arrived at Belleville, the headquarters of the royalists, where apartments were assigned to me in the castle, with a kind governess. Messengers were sent in quest of Charrette, who happened just then not to be at hand. He came to visit me with Stofflet, viewed me very attentively, was cold, spoke little, but shewed me every mark of respect. In what manner the negotiations for peace were broken off, owing to the perfidy of the republicans, is a matter of public notoriety. The unfortunate expedition of Quiberon produced likewise a disastrous influence on my fate. The cabinet of St. James's and the French princes, particularly the Count d'Artois, would hear nothing of a limited monarchy, to which the royalists had consented, and for the sake of which the republicans had surrendered my person. I became the sacrifice of this political schism, with the aid of the subtle Puisaye. Charrette himself, whom I often accompanied on horseback, earnestly forbade me to make my quality known. The rumour of my death constantly gained more credit; those few who were better informed durst not expose themselves and me to danger.

"At last, England desired my surrender, partly under the pretext of identifying my person, partly because, without that, I must be acknowledged by the coalesced powers. I was therefore embarked on the coast of St. Jean de Monts, and attended by the Chevalier de la Roberie. I landed at Jersey, where the Prince de Bouillon gave me the most flattering reception. The chevalier had with him a declaration, signed by the chiefs of the royalists, in which they acknowledged that I was the legitimate son and heir of Louis the Sixteenth. The same secretly happened on the part of the Duke of Bouillon. He was, however, prevented by the gout from following me all the way to England.

"On my arrival in London, I was immediately introduced to the Duc d'Harcourt, ambassador of the French princes at the British court, who received me coolly, and asked me several impertinent questions, which I thought beneath my notice. The Count d'Artois refused to see me, from which it became evident that they harboured intentions, to the realization of which I had proved an obstacle. In the interval, the Chevalier de la Roberie procured me a secret audience of his Britannic Majesty, who had been kept in the dark with respect to many things. Though his majesty, by the advice of his ministers, could not acknowledge me publicly, yet apartments were fitted up for me in the palace, where I was served with suitable dignity, and experienced a kind of paternal treatment. Sometimes the king himself used to play with me like a child, on which account

I once gave him a box on the ear. My uncle was so enraged at the reception I met with, that he once ordered a cook of his to poison my soup. This foul purpose, however, was discovered in due time, and an antidote quickly administered. The king was going to order my uncle into confinement, but, by my intercession, I averted from him the thunderbolt of vengeance. My life was no longer safe in England, for which reason the king reluctantly parted with me, and resolved to send me to Rome and Portugal, with powerful recommendations.

"I set out, attended by a trusty old domestic, and loaded with presents, among which there was a mahogany box, lined with gold, containing instructions for princes destined to ascend a throne. The king of England had signed them with his own hand; and losing afterwards all my effects, the loss of this precious deposit grieved me the most.

"Embarking at Portsmouth, I landed, after a long voyage, in the harbour of Ostia, from whence I went to Rome, where I delivered a letter to Pope Pius the Seventh, in the king of England's own hand writing. His holiness was astonished; blessed, caressed, was even secretly going to anoint me; and in order to recognize me again, he caused the arms of France to be imprinted on my right leg, and the words, *Vive le roi* to be branded on my left arm. This happened in the presence of twenty cardinals. I then went through Spain to Portugal.

"In the former country I saw none of my relations, but the Duchess of Orleans, who prostrated herself at my feet without my being able to prevent it. I took no step to be presented at the court of Madrid, because I well knew how much it depended on France. But in Portugal my reception surpassed my most sanguine expectations. Never shall I forget Lisbon, the banks of the Tagus, and the palace of Quelus. There I first became acquainted with love. The queen, who shewed a decided partiality for me, promised me the hand of her charming sister the princess Benedictine, dowager of the prince of Brazils. Her majesty likewise used every endeavour to interest the potentates of Europe in my fate: to her I stand indebted for a declaration signed by the ambassadors of nine sovereigns, (England, Portugal, the Emperor of Germany, Prussia, Sardinia, Sweden, Denmark, Russia, and the Pope,) by which I was formally acknowledged and promised succour. This declaration must still remain among the archives of Portugal. Meanwhile, the ebb and flow of the revolution had brought on another chain of events and plans.

"Rovere and Pichegru recalled me to France, and thought themselves certain of the success of their project. I bade a painful farewell to the noble and hospitable court of Portugal, and to my dearly beloved Benedictine. I landed at Hamburgh, went to Berlin, and had a secret audience at Potsdam of his Prussian Majesty, who received me with esteem and affection. From thence I hastened into Switzerland, and waited at Bellevue, Pichegru's country seat, for letters from France.

They came, and I was apprized that it was now a favourable period, and should set out immediately. I set off in my female disguise, and had already got as far as Auxerre, when I was informed that my party had temporized too long, and that the 18th Fructidor had blasted my every hope. Accustomed to the freaks of fortune, I remained collected, immediately changed my route, and by short journies reached the department of Calvados, where I hoped to make my escape in a fishing boat to Jersey. I actually embarked, but was driven on shore by some English cruisers. Here I was taken up as a suspected person, and transported to Cherbourg. I made my escape, fell among some banditti, came almost stark naked to Paris, was scantily supported by some old and trusty servants of my father's, and, following their advice, was on the point of flying to Germany, but stopping again near Chalons, was delivered and sentenced."

Such was the artful and ingenious story invented by this youthful adventurer, and it is truly astonishing how an uneducated tailor's son should have contrived so plausible a tale. His partizans believed every word of it, and for many years after his sentence was carried into execution, they still fondly hoped that he might escape from the galleys, and restore the ancient dynasty of France.

MONTGOMERY MARTIN'S HISTORY OF THE BRITISH COLONIES.

THE concluding volume of this valuable work contains two chapters on Guernsey and Jersey, which, though somewhat meagre in details, afford a fair outline of the past and present condition of the Channel Islands, and furnish, perhaps, sufficient information for the general reader. The chapter on Guernsey is decidedly the best, but this superiority must be ascribed to the assistance Mr. Martin derived from our talented Bailiff, Daniel De Lisle Brock, which the author handsomely acknowledges, and whom he very justly describes "as a fine old Guernsey gentleman, one of the olden time." He expresses himself with equal courtesy towards Colonel Le Conteur and Mr. Le Breton, the attorney-general of Jersey, remarking "that many members of parliament, and others, who met these gentlemen and Mr. Brock recently in London, when they formed a deputation from the Channel Islands, will bear me out in the observation, that in no country could there be found persons of superior mental endowment, or urbanity of manners, than the Norman Isles gentlemen."

How enormously the wealth of Guernsey has accumulated in little more than one century appears from the following statement. "In 1780, there was but one person rated at 600 quarters, two at 500, two at 400, eight at from 300 to 400, and eight at from 200 to 300. Say twenty-one persons rated at from 200 to 600 quar-

ters." Let this be compared with the subjoined estimates, which exhibit the actual state of the insular finances, subject to taxation.

No. of Tax Payers.	Quarters.	No. of Quarters.	Amount in sterling, reckoning the Quarter at £30.
473.....rated under.....100....pay on....	19,300	Quarters, or....	£386,000
114.....	150.....	17,100.....	£342,000
74.....	250.....	18,500.....	£370,000
37.....	350.....	12,950.....	£259,000
19.....	450.....	8,650.....	£173,000
716....rated under....500....pay on....	76,500	quarters, or....	£1,530,000
59.....	1,000.....		799,000
20 ..from 1000 to ..	5,250.....		098,000
795 rate payers, pay on.....	151,350	quarters, or ..	£3,027,000

This table includes only the amount of taxable property in the town parish, and therefore, to ascertain the whole wealth of the island, we must add the value of the country parishes. In 1832, the aggregate tax was levied on 206,185 quarters, which, at £20 per quarter, exhibits a sum of £4,123,700; so that we have 150,805 quarters for the town, and 55,380 quarters for the nine country parishes.

The population has also been greatly augmented during the last century. In 1727, the inhabitants amounted to 10,500; of which number, the town, or parish of St. Pierre-Port, had 4,500. In 1831, when the last census was taken, the whole population amounted to 24,349, the proportion of the town being 13,983, and that of the country being 10,456. The population of Jersey, as stated in the census of 1831, was 36,582, of which 16,027 belonged to St. Helier, or the town parish, and the remainder to the eleven country parishes.

In 1804, the shipping of Guernsey amounted to 133 vessels, measuring 11,500 tons: in 1813, it was reduced to 93 vessels, measuring 10,892 tons; and in 1832 it was still further reduced to about 79 vessels, measuring 9,157 tons, trading with Spain, Portugal, France, Newfoundland, and South America.

While the mercantile marine of Guernsey has fallen off, that of Jersey has been considerably augmented. Upwards of 60,000 tons of English and French shipping annually enter the harbours, and there are 220 vessels of various dimensions, and estimated at 25,000 tons, belonging to the merchants of Jersey, who moreover have settlements and fishing stations in North America, as follows:

ON THE COAST OF	VESSELS.	TONS.	JERSEYMEN.	NATIVES.
Gulf of St. Lawrence..	27	3893	517	950
New Brunswick.....	1	87	25	116
Cape Breton.....	10	645	180	660
Labrador.....	14	1604	298	160
Newfoundland.....	27	2256	1975	9080

Thus employing 4566 persons.

The local oyster trade of Jersey is also considerable; it gives employment to 250 boats or cutters, to 1,500 men, and 1,000 women and children. There were sent to the English markets:

In 1829.....	239,120 bushels.	In 1831.....	217,676 bushels.
1830.....	212,056 „	1832.....	163,240 „

It is true that Jersey is larger and more populous than Guernsey, but these advantages do not account for its superiority in trade and shipping. Time was,

when Guernsey eclipsed the sister island in both these respects, and her present decline must be attributed to other causes. In the first place, the harbour of St. Helier is incomparably preferable to that of St. Peter-Port, both for safety, convenience, and capacity, and this difference in the ports is alone a sufficient inducement to attract foreign trade, as the distance between the two havens is only twenty-eight miles. A commodious harbour at St. Peter-Port could be effected for a trifling sum, and it would not only prove of inestimable local advantage, but we hesitate not to affirm that it is an object of national, nay, of European importance. If it were known that such a place of shelter existed in the midst of the British Channel, many vessels, which contrary winds and tides prevent making the English coast, could here find refuge, and thus life and property to a large extent might annually be saved. To be deterred from executing this useful and much desired object, on account of the expense, is ridiculous: the island could easily contribute some portion of the funds, and if proper energy were used and proper representations made to the British government, we feel confident that the mother country would willingly lend us assistance. We cannot doubt for a moment that, if the old relics of fiscal feudalism were brought under the notice of his Majesty's ministers, and at the same time the necessity of a harbour pointed out, the poulage, the treizième, and the champarts, would be surrendered to the States, and these could be appropriated to the erection of a new pier; and we further incline to think that a lottery would be granted, under a guarantee from the States that it would not be abused, and permission to sell the tickets in England be obtained. We know well that these notions will be laughed at by many as chimerical, but we hesitate not to promulgate them, for we do it in a pure spirit of good-will towards the interests of the community. One thing is certain, that if the public continue supine and indifferent, and will not make some effort to serve themselves, they have no right to suppose that the British government will guess at their wishes or anticipate their desires. We, therefore, say to them, "Be up, and stirring. Aide toi; le ciel t'aidera."

Mr. Martin notices the recent attempt of a few narrow-minded corn-factors in England, to prevent the introduction of the Channel Islands' grain into the British harbours, and justly condemns this most illiberal attempt, while he indignantly denounces the shallow sophisms by which this iniquitous measure was sought to be carried. He remarks, "that the insular surplus of corn, over and above the consumption of the inhabitants, would scarcely be sufficient," as Mr. Brock truly told the Committee, "to make pap for the children of one of our large towns; indeed, the importation of the Channel Islands' corn has been principally for seed, its weight and quality rendering it a desirable change for our farmers." What assertion, indeed, could be more monstrously absurd on its mere enunciation, than that seven thousand quarters of grain from Guernsey and Jersey could affect the prices of *forty million of quarters of corn*, the estimated annual consumption of the United Kingdom! This foolery, however, was seriously put forth by some of the great landed proprietors of England, in the hope of gulling John Bull, who, when he chooses to be gulled, is certainly the most stupid of oxen. Let the English territorial aristocracy lower their rents, and the farmer could live, as his ancestors were wont to do, and we should hear no more of agricultural distress; but this the squirearchy and oligarchy refuse, and to their eternal shame be it recorded, they attempted to impoverish the people of these islands, to bolster up their own bloated revenues. Mr. Martin feelingly and honourably says, "I trust that no attempts will be made to deprive the Norman Islanders of the immunities conferred on them by successive English monarchs, throughout a period of five centuries, and which they have proved themselves so fully deserving of, by their steady attachment and ardent loyalty to Britain."

The most valuable and interesting portion of these notices on the Channel Islands is the report on the agriculture of Guernsey, for the materials of which Mr. Martin handsomely acknowledges himself to be indebted to our worthy and patriotic bailiff, "as well as for much pleasing and instructive verbal information." We shall quote largely from this statement, not simply on account of its local interest, but because we are decidedly of opinion that if the Guernsey system were introduced into England, the state of the people, particularly of those engaged in agriculture, would be rapidly and beneficially improved. Our Houses of Parliament may feel reluctant, from false pride, to learn political wisdom from this speck on creation, but we at least will give them the opportunity of comparing some of the institutions of Guernsey with those of Britain, and leave our parliamentarians to draw their own inferences.

"The surface of Guernsey may be stated at 54 square miles, or reckoning 640 acres to the square mile, at 15,968 English acres. Deducting one third for rocks, clefts, and places not susceptible of culture—and for houses, buildings of all sorts, streets and roads, say, 5,120; there remain fit for cultivation, 10,840 English acres.

"An island whose surface thus consists of little more than 10,000 acres of orchard, garden, arable and pasture land, cannot be expected to afford a great variety, or any very enlarged system of agriculture. There are, however, circumstances connected with the tenure of property, its extreme sub-division, and productiveness, and with the numbers and comforts of the inhabitants, which may suggest useful reflections to the farmer, the political economist, and the statesmen of large countries. The tenure of property partakes of the double nature of land, held as a farm subject to the payment of annual rents, and as land held as freehold in perpetuity. A purchase may be made by the immediate payment of the price agreed upon, or by the payment of a part only, and converting the remainder into corn rents to be annually paid; or finally, by converting the whole of the price into such rents. In the two last cases, where a part of or the whole of the price is stipulated for in annual rents, the purchaser is, to all intents and purposes, as much the proprietor as in the first case, where the whole price is paid down in cash, and so long as the stipulated rents are paid, he and his heirs can never be disturbed, but hold the land as freehold for ever. To the former proprietor, the rents are guaranteed by the land sold, and by all the other real property held at the time of sale by the purchaser free from incumbrance; and the rents being transferable, and such property being always in demand, money can be raised by their sales with as much ease as it could before on the land itself. Thus, without the necessity of cultivating the soil, the original possessor enjoys the net income of his estate, secured on the estate itself, which he can resume in case of non-payment, while the purchaser, on the due payment of the rent charged, becomes real and perpetual owner, having an interest on the soil far above that of farmers under any other kind of tenure. Experience has proved that, under this tenure, a spirit of industry and economy was generated, producing content, ease, and even wealth from estates, which, in other countries, would hardly be thought capable of affording sustenance to their occupants. And thus also arose two classes mutually advantageous to each other; the one living on its income, or free to exercise trade and professions; the other composed of farmers raised to the rank of proprietors, dependent on their good conduct only. The faculty of acquiring land in perpetuity, without paying any purchase money, is undeniably proved to have been of infinite benefit to the people of this island, but it must be obvious that this source of so much good could never have existed, and can no longer continue without a corresponding security, well guaranteed to the original proprietor of the land, willing to part with it."

There is a novelty in this mode of tenure which will arrest the attention of our English readers ; and among those who meditate on the mighty changes which are now, some silently, others openly, acting on the frame of society, this peculiar system will afford matter for deep and interesting speculation. The practice of granting leases for short periods will ever be maintained by the territorial aristocracy and the squirearchy, because it influences the votes of the tenants at elections, and for that very reason alone, even if no other could be assigned, the public at large ought to insist on its being discontinued. Seriously and anxiously, therefore, do we call on our more active politicians to study the Guernsey system of tenure, in order to hasten its introduction into England, as one of the most effective weapons with which to weaken the overgrown influence of the oligarchy. Nor would this be the only beneficial result of the proposed change. Where now are the once honoured yeomanry of England ? The race is extinct. The consolidation of farms caused their ruin, and whatever the political economists may affirm as to one large farm producing more, at a less cost, than ten small farms, this is certain, that the plan of concentration has lowered the moral standard and independence of the rural population ; and unless it can be shown that national greatness depends more on money than on morals, then the present system is, in fact, the more expensive of the two. We, however, deny the position of the economists, and we shall presently disprove their statement by an appeal to facts. Let us first, however, explain the subdivision of property in Guernsey.

“An idea of the subdivision of property may be formed by a reference to the last population returns of 1831, by which there were 1,748 inhabited houses in the nine country parishes, and 1,728 in the town parish. As the latter extends in the country a mile south, a mile west, and a mile north, there are more than 252 houses of the town parish that must be set down as belonging to the country, and added to the 1,748 houses of the nine country parishes. Reckoning, therefore, 2,000 houses in the country, and dividing between them the 10,000 acres fit for cultivation, the portion is five English acres, or 12½ Guernsey vergées to each house. This portion is not, of course, equally distributed ; instead of five, many houses have only two or three acres attached to them, while some in each parish have twenty to thirty. An English agriculturist will smile at the calling of the latter considerable estates, and on hearing that the exceptions where estates exceed thirty acres are extremely rare. If, indeed, a few do contain fifty to sixty, none beyond can be found. This will not appear surprising if we consider the small extent of the island, and its law of succession. Land cannot, by law, be divided by will. The eldest son takes as his eldership the house, and from sixteen to twenty perches of land adjoining on the paternal or maternal estate, if there be both : he is also at liberty to retain the land in the ring fence ; that is, to keep possession of all lands to which he may have access without crossing the public road, but for such parts of lands as exceed his own share, he must pay to his co-heirs the price put upon it by the constable and douzainiers of the parish in which the land is situated. With the exception of one part of the land, which is reserved for the sons, and out of which is taken the eldership, the real property is divided, two-thirds among the sons, and one-third among the daughters ; but should their relative numbers give an advantage to the daughters, if a third were allotted to them, they would be bound to forego that advantage, and to share equally with the brothers.”

It is a sufficient recommendation of this system to know, that it is based on the principles of justice. What law is more barbarous, more hateful, more abhorrent from the finer feelings of paternal and maternal affection or filial duty, than the accursed, partial, and unnatural law of primogeniture ? It is, in truth, a relic of

feudalism. There was some justification of it, when estates were held by the tenure of knight-service, because the eldest son was necessarily the first in his family who could bear arms and accompany his liege lord to battle; and this also is the reason, why females were excluded from the succession, their sex rendering them incapable of performing military duties. But feudalism being abolished, all the incidents to it should share the same fate. If any preference were permitted to continue, humanity would concede it to the sisters, who are always less able to provide for themselves than their brothers. But this is not merely a family question: it is a national one, and of momentous importance. The aristocracy of England is a curse to the nation, and it would soon tumble into ruin, if primogeniture were abolished. We shall take an early opportunity to discuss this question: in the mean time, we refer our readers to Bulwer's masterly work on "England and the English;" let those who have never read it, do so speedily: let those who have, *study it*, as it deserves to be studied.

Let us now see how the Guernsey system practically works for the welfare of the people, whose good fortune it is to reside within this happy bailiwick: and this enquiry leads to the productiveness of the island. "The subdivision of the land, and the tenure by which a permanent interest in its cultivation is secured to the occupier, are sufficient to account for great production. Natural causes come also to its aid, arising from fertility of soil, mildness of climate, and the excellent manure which the sand and sea-weed afford; to these natural causes may be added, the excellent roads which, of late years, give so much facility to the procuring of that manure, and the easy access not only to the coast, but to and from every part of the island; and again, the labour and attention rendered necessary by the small quantity of land in each farm, and bestowed on every part of it, contribute largely to an increased production. Thus the tethering of all cattle, the use of the spade, and the general culture of clover, lucern, parsnips, turnips, and mangel-wurzel, add wonderfully to the means of sustenance for all animals. In small farms alone, and among the wives and daughters of the occupiers, are to be found the superior care and economy requisite for the successful rearing and feeding of calves, pigs and poultry, and for the general management of the dairy. The rotation of crops, generally observed, gives two crops of wheat in five years; the usual course is parsnips, wheat, barley, clover, and wheat, the greater produce of wheat being after parsnips."

"If we compare the produce of wheat with that of England, we shall find that the average produce of England is stated by Arthur Young, Tull, Cobbett, and the late resolutions of several agricultural meetings, at twenty-three or twenty-four Winchester bushels per acre. Mr. Jacob, in his evidence before the House of Commons, reckons it as only twenty-one bushels. In Guernsey the average produce may be reckoned at thirty-three bushels. Mr. Cobbett in his preface to Tull, says, that on a trial in Hampshire between the broad cast and the drill husbandry the produce was the same both ways, and did not exceed thirty-seven Winchester bushels of wheat per acre, and this was in the best land, in a very favourable year, and with the most careful culture. In Guernsey, Mr. Brock asserts that his neighbour grew in 1832, in a field of exactly two and a half English acres, one hundred and thirty-four and a half Winchester bushels, or fifty-four per acre. It is well ascertained that other farmers, both in Guernsey and Serk, have occasionally grown fifty-five bushels, and one respectable farmer declares, that he once grew sixty Winchester bushels per acre."

Upon the whole, the fertility of the soil and the weight of the crops is undisputed: the superior quality of the cows, the excellence of the meat, milk, butter, and vegetables, is equally so. Let the production of the island be compared to

that of any 10,000 acres kept in two or three hands in Great Britain; and the advantage of small farms will be obvious. Compare the surplus produce sent to market with the surplus produce of any 10,000 acres in one, two, or three, hands elsewhere, and see on which side the balance will be found. In Guernsey 10,000 acres keep 2,500 milch cows, which produce, one with the other, each five pounds of butter per week; this at one shilling per pound, or its value in milk, amounts to £32,500; three quarters of which are sold in town: 550 cows are exported, and about that number of fat cows, or oxen, slaughtered; and about 500 porkers are either exported or sold to the town. The quantity of vegetables, fruit, poultry, and eggs brought to market is prodigious, and 100,000 bushels of potatoes may be reckoned to be exported or distilled annually. The cider of the island is of the best quality, and from 500 to 1,000 hogsheads are exported in a year.

These facts in our judgment decide the question between large and small farms, and prove to demonstration that the subdivision of property, looking at the subject merely in a commercial point of view, is more productive of profits than its concentration. Guernsey, it is true, possesses no lords or lordlings; but, hear this people of England, you may walk from one end of the island to another, and you will never be accosted for alms, or see a beggar. Grand castles are not studded over the country: but every man has a comfortable home. Mr. Martin most truly remarks: "In England we break up the small farms, depopulate the country, and cry up the surplus produce, as if that produce, consumed by a vigorous happy race of yeomen, did not tend to the welfare of a kingdom as much as when carried to large towns to feed a miserable population, living by the precarious returns of manufactures instead of the certain rewards of agriculture. Besides, the main fact upon which the sticklers for large farms rest their argument is absolutely disputed; surplus produce from large farms is not greater than it would be from moderately-sized farms. There are larger estates in England than the whole of this island; but where will one be found that produces the same quantity of provisions as is sent by the small farmers of this island to market?"

How many schemes are now afloat for the regeneration of unfortunate Ireland! We earnestly hope that this number of our Magazine may meet the eyes of Mr. O'Connell, and that he will direct his acute and comprehensive intellect to examine the practical working of the Guernsey system. We would submit to him one single fact: If land were held by the same tenure in Ireland, as it is in Guernsey, the Orange landlords would not have it in their power to eject hundreds of families from their potatoe grounds, because they voted conscientiously in the election of a member of parliament. But the creation of tenancies in perpetuity is pregnant with advantages of the most vital importance to society. Every holder of land on this plan feels the pride of proprietorship: he has a real stake in the country: and he knows that so long as he pays his rent, he holds possession for life, with a power of transmitting the property to his children. Thus is created the strongest incentive to economy and industry: with the sense of independence the moral character acquires a purer and a higher tone: the comforts of a home, once enjoyed, deter men from frequenting gin shops: and thus the vice of drunkenness, so fatal to the poorer classes, is checked; for we believe with Voltaire, "*Il n'y a que les malheureux qui boivent*;"—"The unhappy alone drink to excess," a sentiment certainly admitting of exceptions, but in the main founded in correct observation of society. If any of our English readers feel sceptical of this account of the institutions of Guernsey, and the results they have for centuries produced, and are still producing, let them visit this island for a few weeks in the summer, instead of idling away their time at a fashionable watering place, and all their doubts will be dissipated into thin air.

LECTURES AT THE GUERNSEY MECHANICS' INSTITUTION.

ON ATMOSPHERIC AIR.

BEFORE entering on the second part of this subject, Mr. Ollivier said that he would describe the nature and properties of a gas. As that word would frequently occur in treating of the chemical properties of the atmosphere, it was necessary that its meaning should be well understood. A gas is defined by most chemical authors as a *permanently elastic fluid*, that is, a fluid which retains its elasticity and aeriform state at all times, and under all changes of temperature. In this respect it differs from vapour, which, though an elastic fluid, is not permanently so, for, when deprived of that heat which changed it from a liquid to a vapour, it resumes its original form by the process termed condensation. The lecturer here directed the attention of the audience to some water which was boiling in a retort, over a lamp. The liquid was converted into an elastic or aeriform fluid, by the application of heat, but was again condensed by the coldness of the neck of the retort, and it dropped into the receiver in its original form. It thus lost that heat by which it had been converted from a liquid to an aeriform body. The same effect was also shewn by means of iodine, with this difference, that in this case the substance converted into vapour was a solid, and the effect was more striking. Some hydrogen gas was then passed through cold water into an inverted bottle filled with water, when it was seen that the gas, although brought in contact with a cold body, still retained its aeriform state, because, unlike vapour, it is a *permanently elastic fluid*. Both gases and vapours derive their aerical form from the caloric, or matter of heat, with which they are combined. In vapour of water or steam, the caloric is so loosely combined with that body, that on coming in contact with any cold substance, it parts with it, and resumes its original form. Whereas, in a gas the caloric is so intimately combined with that substance which forms the basis of the gas, that the mere contact of cold bodies is not sufficient to destroy this union. We must not, however, suppose that gases are incondensable, for, when subjected to a very great pressure and an intense cold, some of them have been condensed into liquids; therefore, although called *permanently aeriform* or *elastic*, this term is only applicable to them when at ordinary temperatures.

Gases are not, as some might perhaps suppose, prepared only in the laboratory of the chemist. They are generated and disengaged in various processes of nature. Thus, oxygen gas is given out by plants; carbonic acid gas is evolved during the fermentation of dough, cider, beer, &c. Sulphuretted, carburetted, and phosphuretted hydrogen are also evolved by the decomposition of animal and vegetable matter. And the very air that we breathe is a compound of different gaseous substances. After these preliminary remarks, the lecturer proceeded to describe the constitution of the air.

In the beginning of the last century, it was supposed that there were only four elementary bodies in nature, and that this terrestrial world was entirely composed of those elements. Of these first principles, air was one; and, consequently, this was always considered to be a simple substance that entered into the composition of most other bodies, but was itself incapable of decomposition. Of late years, however, it has been discovered that this notion of the simplicity of air is erroneous, and that the four substances, which the ancients had fixed upon as the simple elements of nature, are themselves compound bodies.

Air is composed of two different kinds of air, which are called oxygen gas and nitrogen gas, in the proportion of 79 parts by vol of the latter, to 21 of the former in 100 parts. They are called gases, and not airs, because the term air is only used

to designate that due mixture of oxygen and nitrogen which constitutes the air in which we live. The term gas is applied to its constituents, when existing in a separate form, and to all other permanently elastic fluids. Formerly, the term air was also applied to this class of bodies; hence we find in the old chemical authors the terms vital air, dephlogisticated air, inflammable air, &c. But since the introduction in chemistry of a new nomenclature, these terms have been replaced by others more suitable to the science in the rapid progress it has made. The term oxygen gas is now applied to that fluid which was formerly designated by the appellations of vital air, fire air, &c.; and nitrogen gas is now used instead of the terms foul air, phlogisticated air, mephitic air, &c. The former was called oxygen, a word derived from the Greek word *oxus*, sour, because it has the property, when combined with certain substances, of communicating to them an acid taste. And the latter nitrogen, derived from *nitron*, nitre, because it enters into the composition of nitre.

These two gases of which the air is composed, may, by certain chemical processes, be separated from one another and exhibited in a distinct and separate form. Their individual properties are then exceedingly striking. Although in outward appearance we can perceive no difference between the two, as they are both invisible like air, yet they are possessed of very different and opposite qualities. We find that oxygen gas supports combustion with greater energy than common air; a candle plunged in a glass filled with oxygen gas burns with increased brilliancy, even substances such as iron, which are generally considered as incombustible, will burn in it with splendour. When a stream of this gas is directed from a bladder or a gas-holder upon a piece of ignited charcoal, even platina which is one of the most refractory metals, is instantly fused—gold and silver volatilized, and the other metals enter into combustion with various coloured flames. Lime and stones are vitrified, and the diamond is made to burn. Nitrogen gas, on the contrary, is incapable of supporting combustion; a burning candle immersed in this gas is instantly extinguished.—The lecturer then exhibited a few experiments illustrative of the properties of these gases. Having extinguished a taper, he introduced it, whilst the wick was still smoking, into a bottle containing oxygen gas: the candle was immediately relighted, and burnt with an enlarged flame, which became dazzlingly bright; it was then introduced into a bottle containing nitrogen gas, when it was immediately extinguished. A piece of iron wire, to which a thread was attached and lighted, was also introduced into oxygen gas, when it burnt vividly and the iron was melted in globules. A stream of this gas was directed upon a piece of ignited charcoal, when pieces of different metal, being exposed to this stream, entered into vivid combustion.

Oxygen gas is also distinguished by its power of supporting animal life. If an animal be confined in a given quantity of it, instead of being immediately killed, as it would be in some gases, it will live, even for a longer period than it would do in the same volume of atmospheric air. At the same time, it does not appear, when pure, to be well adapted to animal existence. If an animal be confined in a given quantity of it, its respiration becomes hurried and laborious, before the whole of its oxygen is consumed, and it dies, even though so much oxygen is still present, that another animal of the same species introduced into the residual air will live. It stimulates the vital functions so powerfully, that it destroys from over excitement. Dr. Higgins having caused a young man to breathe pure oxygen gas for several minutes, his pulse, which was at 64, soon rose to 120 beats in a minute. Nitrogen gas, on the contrary, in its pure state, is incapable of sustaining animal life: an animal introduced into it is immediately killed.

It must, therefore, appear evident that it is the oxygen gas of the atmosphere

which enables it to support combustion and sustain animal life; and although, when in a pure state, it would be improper for either of the above purposes, from its highly energetic properties, yet we find that by its union with nitrogen gas, it becomes so diluted and modified as to prevent combustion from being too rapid, and respiration too stimulating; and by the due proportions in which these gases constitute the atmosphere, the compound possesses properties so different from either of them, as to be admirably fitted for every purpose for which it was designed.

Were we to breathe oxygen gas, without any mixture or alloy, our animal spirits would be raised, and the fluids in our bodies would circulate with greater rapidity; but we should soon infallibly perish by the rapid and unnatural accumulation of heat in the animal frame. If the nitrogen were extracted from the air, and the whole atmosphere contained nothing but oxygen, or vital air, combustion would not proceed in that gradual manner which it now does, but with the most dreadful and irresistible rapidity: not only wood and coals, and other substances now used for fuel, but even stones, iron, and other metallic substances, would blaze with a rapidity which would carry destruction through the whole expanse of nature. Again, were the oxygen completely extracted from the atmosphere, and nothing but nitrogen remained, fire and flame would be extinguished, and instant destruction would be carried throughout all the departments of vegetable and animated nature. For a lighted taper will not burn for a single moment in nitrogen gas, and if an animal be plunged into it, it is instantly suffocated. If even the proportions of the two gases were materially altered, a variety of pernicious effects would instantly be produced. If the oxygen were less in quantity than it now is, fire would lose its strength, candles would not diffuse a sufficient light, and animals would perform their vital functions with the utmost difficulty and pain. On the other hand, were the nitrogen diminished, and the oxygen increased, the air taken in by respiration would be more stimulant, and the circulation of the animal fluids would become accelerated; but the tone of the vessels thus stimulated to increased action, would be destroyed by too great an excitement, and the body would inevitably waste and decay.

Of the effects that would result from a change of proportions in the constituents of the atmosphere, we have a very striking instance in the nitrous oxide gas—popularly termed, *laughing gas*. This gas is composed of sixty-three parts nitrogen, and thirty-seven of oxygen in one hundred parts, so that it contains considerably more oxygen than atmospheric air. When inhaled into the lungs, it produces an extraordinary elevation of the animal spirits, a propensity to leaping and running, involuntary fits of laughter, a rapid flow of vivid ideas, and a thousand delightful emotions, without being accompanied with any subsequent feelings of debility.

Doctor Beddoes gives the following account of the respiration of this gas, by Sir Humphrey Davy. "The scene exhibited was the most extraordinary I had ever witnessed, except in the case of that epileptic patient, whom I have described (*Considerations on Airs*, part iv. p. 18,) as agitated, in consequence of the respiration of oxygen gas with a long succession of the most violent movements. The two spectacles differed, indeed, essentially in one respect. In the former, every thing was alarming; in the latter, after the first moments of surprise, it was impossible not to recognize the expressions of the most ecstatic pleasure. I find it entirely out of my power to paint the appearances, such as they exhibited themselves to me. I saw and heard shouting, leaping, running, and other jestures, which may be supposed to be exhibited by a person who gives full loose to feelings, excited by a piece of joyful and unlooked-for news."

As in the case of the epileptic patient, no weariness or depression followed; so in this case, no exhaustion, or languor, or uneasy feeling took place. The experi-

ment Mr. Davy has very frequently repeated, and generally with the highest pleasurable sensations, and except under particular circumstances, with considerable muscular exertion, which have not in any instance been succeeded by fatigue or sadness.

Mr. Robert Southey could not distinguish between the first effects, and an apprehension, of which he was unable to divest himself. The first definite sensations were, a fullness, and dizziness in the head, such as to induce fear of falling. This was succeeded by a laugh, which was involuntary, but highly pleasurable, accompanied with a peculiar thrilling in the extremities—a sensation perfectly new and delightful. For many hours after this experiment, he imagined that his taste and smell were more acute, and is certain that he felt unusually strong and cheerful. In a second experiment, he felt pleasure still superior, and has since poetically remarked, that he supposes the atmosphere of the highest of all possible heavens to be composed of this gas.

Murray relates the following circumstance: "I was once lecturing upon the subject of this gas, and stating my reasons for not administering it, when a gentleman said he had come on purpose to take a portion of the gas; that he had brought a party of friends to see the fun, and he was determined I should there and then administer it to him. I remonstrated with him on the impropriety of dictating to a lecturer the course he should pursue; but my reasoning had but little effect, and seeing his determination, I told him that if he would come the next evening, he should have a number of free tickets to admit as many of his friends as he pleased; and if he should then be prepared to make a fool of himself, I would administer the gas. He did come, and I gave him to the amount of two gallons, and his feats were in consequence sufficiently remarkable. His strength became truly athletic, and he stripped to display his pugilistic prowess, and was altogether so violent as to require several persons to hold him, and prevent him doing mischief. His leaps and springs were astonishing. He jumped over my table and apparatus, and then he would vault into the air till his head almost touched the ceiling. He would spin like a top upon his heel; and, in truth, his antics were almost matchless. The quantity of gas was certainly extraordinary, but the violence of its effects has not been exceeded in any case I know of."

These facts show what a variety of delightful or pernicious effects might flow from the slightest change in the constitution of the atmosphere, were the hand of the Almighty to interpose in altering the proportion of its constituent parts; for atmospheric air is composed of 79 parts of nitrogen and 21 of oxygen, which is not a very different proportion from the above.

Another gas, called nitric oxide, composed of 56 parts oxygen and 44 nitrogen, produces instant suffocation in all animals that attempt to breathe it. What a striking proof does this afford of the infinite comprehension of the Divine mind, in foreseeing all the consequences of the elements of nature, and in directing their numerous combinations, in such a manner as to promote the happiness of animated beings! "How easily could the Almighty effect, by a very slight change in the constitution of the atmosphere, the entire destruction of the human race, and the entire conflagration of the great globe they inhabit, throughout all its elementary regions. He has only to extract one of its constituent parts, and the grand catastrophe is at once accomplished. With what a striking propriety and emphasis, then, do the inspired writers declare, that "in Him we live, and move, and have our being;" and that "in his hand is the soul of every living thing, and the breath of all mankind!"

Mr. Ollivier then proceeded to describe some of the experiments performed by Lavoisier, from which he had inferred the composition of atmospheric air. He

exposed quicksilver to a heat nearly equal to its boiling point, in a glass matrass, with a bent neck connected with a receiver, placed in quicksilver, and containing atmospheric air. A red powder formed slowly on the surface of the quicksilver contained in the matrass, and the air diminished in volume; at the commencement of the experiment the quantity of air contained in the matrass and receiver was about fifty cubic inches; at the end of it, it was found reduced to between forty-two and forty-three. Its qualities were also changed, for it was no longer fit either for respiration or for combustion; animals being introduced into it were suffocated in a few seconds, and, when a taper was plunged into it, it was extinguished as if it had been immersed in water. The quantity of red matter which had been formed on the surface of the quicksilver was removed; it amounted to forty-five grains; on exposing it to a red heat in a small retort, it returned to the state of running quicksilver, which weighed forty-one and a half grains, and between seven and eight cubical inches of elastic fluid were collected, which shewed the following properties: a taper burned in it, with a dazzling splendour, and charcoal, instead of consuming quietly as it does in common air, burnt with a flame, attended with a decrepitating noise, like phosphorus, and threw out such a brilliant light that the eyes could hardly endure it. The terms, *vital air*, *empyrean air*, &c., were at first applied to it, but at the framing of the new chemical nomenclature it received the name of oxygen gas. On repeating the experiment, so as to collect these two different elastic fluids, without any loss, on adding the oxygen gas obtained from the red matter, to the residual air of the first stage of the experiment, an air was formed similar in its properties to atmospheric air.

This experiment affords an example of the analysis and synthesis, or, in other words, of the decomposition and recombination of the atmosphere. Quicksilver heated in atmospheric air to nearly its boiling point, attracts oxygen; the red substance which forms on its surface is the product of this combination, and the residual air is nitrogen gas. At a higher temperature,—that of a red heat,—this compound of oxygen and mercury is again decomposed, the oxygen is expelled, and assumes the gaseous form; and on adding the quantity of gas thus produced, to the residual nitrogen, atmospheric air is reproduced.

But this is not the only fact which might be adduced, as a proof of the composition of atmospheric air. This will suffice at present, others will be mentioned as we proceed. This fact, however, demonstrates that oxygen is the grand supporter of combustion and sustainer of animal life. This conclusion will naturally lead us to the examination of its mode of operation, in effecting these important purposes. But before entering on this part of our subject, it will be necessary to make a few observations on oxygen generally. We shall then be better prepared for the investigation of those two grand phenomena, respiration and combustion. In the first place, we must not confound oxygen with oxygen gas. There is a great difference between the two,—about as much as there is between steam and water. We know that steam is water rendered aeriform by heat, in like manner oxygen gas is oxygen rendered also aeriform by the same agent. But the mode of combination is very different in the two. In steam, the caloric, as was before observed, is so loosely combined, that by being cooled, the caloric is given out, and the steam returns to the original form of water. On the contrary, in oxygen gas, caloric is as it were chemically combined with the oxygen, and this combination is of such nature, that the separation of these two bodies cannot be effected by a mere diminution of temperature. These remarks are also applicable to all other gases, and those particular substances which form their basis. In a gas we must therefore distinguish the matter of heat, which gives it the aerial form, and the substance which forms the basis of a gas. When we use, therefore, the term oxygen.

we mean oxygen in a pure state, the basis of oxygen gas—and by oxygen gas we mean oxygen combined with caloric.

It is not an easy matter to give a clear notion or precise definition of oxygen, because it has never yet been obtained pure, or uncombined with any other substance. It is a principle generally diffused throughout nature. It enters into the composition of water, animal, vegetable, and mineral substances. In fact, it is so abundant in nature, that with the exception of metals and two or three other simple substances, it would be difficult to select a substance in which it is not contained. And yet, though so abundant in nature and so universally diffused, the art of man has never yet been able to isolate it,—experiment has never yet exhibited this fact,—it is a discovery which still remains concealed in the bosom of nature. And though we cannot procure a handful, or a cupful of pure oxygen, yet, by experiment and observation, we may become as certain of its existence as of the existence of water, iron, or any other tangible substance.

It can be weighed, measured, combined, disengaged, but in all these cases it is always connected with some other body, which forms the subject of enquiry. The changes which it effects in bodies, by combining with them, are really wonderful. To some it communicates taste; to others, colour. Bodies in combining with oxygen seem to lose entirely the properties by which they are characterized, and acquire others altogether different from those they possess in a simple state.

It is constantly at work in the great laboratory of nature, ever forming new combinations, assuming new appearances, and operating endless changes—in fine, there is scarcely a process, either in nature or in the arts, in which it does not play some important part. The more we reflect on the character and nature of oxygen, the more we are astonished at the numberless changes which are effected by its agency. Whether the animal, or vegetable, or mineral kingdom come under our examination, we find this universally diffused substance every where in some new shape or form. Whether we examine the atmosphere which surrounds the earth, or the water which forms its rivers, seas, and oceans—we find oxygen pervading every part.—Mr. Ollivier then observed that he feared such a brief sketch of oxygen would convey but very imperfect notions of the nature of this important agent. For, language falls far short of giving any adequate idea of this invisible and restless agent. We know that it would be difficult, if not almost impossible, for any one to describe a process or operation in such a manner as would be well understood by another who had not witnessed the same. The ideas he would form would doubtless be very different from those he would have entertained had he witnessed that operation. Suppose, for instance, we had never seen water boil, nor its conversion into steam, what idea could we form in our minds by a mere description. We could never conceive how a liquid like water could assume the aeriform state. In like manner, unless we have examined oxygen in all its forms, and observed attentively the changes it undergoes, by combining with various substances, we shall have but very incorrect notions of the nature of oxygen.

Mr. O. then observed that he would elucidate the subject by one or two simple experiments, and a few remarks on such phenomena, relating to oxygen, as fall under our observation. It has been already observed, that oxygen enters into the composition of air, water, and most of the substances with which we are acquainted. It exists, consequently, in three different states—the solid, liquid, and aeriform. When we investigate the operations of nature, we find oxygen constantly changing from one form to another; and by the processes of art, man may also, as often as he please, imitate nature. Thus we can make it assume the gaseous state from the solid; and again, on the contrary, we can make it resume its original form: we may also change it from the liquid state into the gaseous, and again, from the gaseous into the liquid, or from the liquid into the solid.

As oxygen is contained in a variety of solid substances, we need not incur the expense and trouble of collecting oxygen gas according to Lavoisier's method, when we require it for experimental purposes. For some bodies, such as saltpetre, black

oxide of manganese, give it out when exposed to a certain heat. We may obtain it by exposing some black oxide of manganese in a gun barrel to a red heat. The oxygen combining with caloric, will be evolved in the gaseous state, and may be collected by the usual mode of collecting gases. If we add sulphuric acid, commonly called oil of vitriol, to the manganese, the gas may be collected in a common glass retort, as the heat of a lamp will be sufficient to expel the oxygen. The sulphuric acid loosens, as it were, the affinity existing between the oxygen and manganese, and a lower temperature is sufficient to cause its disengagement.—The lecturer then introduced into a glass retort a portion of manganese and sulphuric acid, and showed the mode of collecting it over water. The gas obtained in this manner has precisely the same properties as that obtained according to Lavoisier's method. As nitrogen, the basis of nitrogen gas exists also in many substances, nitrogen gas may also be obtained artificially, and thus the operative chemist has it in his power to manufacture atmospheric air in his laboratory. The lecturer then made a few observations on the attraction existing between oxygen and some metallic substances. When iron is exposed to the air it rusts; this is owing to its forming a combination with the oxygen of the air; hence rust of iron is called, in chemical language, oxide of iron.

The manufacture of red lead affords also an illustration of the absorption and solidification of oxygen. In these establishments the melted lead is exposed to atmospheric air, until the surface becomes covered with a pellicle; this pellicle being removed, another is formed; and thus, by successively removing the pellicle as it forms, the greatest part of the lead is converted into a yellowish green powder. This powder is then ground in a mill, and, when it has been washed and properly dried, is thrown back into the furnace; and thus, by constant stirring for thirty or forty hours, so as to expose every part to the action of the air, absorbs another portion of oxygen and becomes red lead, and is taken out for use. Twenty cwt. of lead generally give twenty-two cwt. of red lead; so that two cwt. of oxygen is absorbed from the atmosphere during the process. The lecturer concluded by a few other instances of the absorption of oxygen by metals, and exhibiting specimens of the different metallic oxides.

ELIZABETH COLLEGE, GUERNSEY.

SOME years have now elapsed since this costly structure was erected, and it may now be fairly asked, has the success of this institution warranted the expenditure? Have the expectations of the public been realized? Is education cheaper than formerly? Is it of a more masculine or more useful character? Do the parents, who were taxed for the building, receive an adequate equivalent in the superior instruction afforded to their children? We are sorry to answer all these questions in the negative. It is also painful to remark that very many boys are sent out of the island, some to England, some to France, to acquire that knowledge which their fathers or guardians seek in vain to secure at Elizabeth College: and in addition to this disheartening fact, the town swarms with private schools, all of which are in a flourishing state, while the national establishment droops and languishes. Such is the truth, and it can neither be denied or glossed over; but it is far from our wish to affix blame to any one in particular; neither do we think that personal dereliction of duty can be justly charged on any individual now officially employed: it is rather of the system of education that we complain, than of the directors or the masters. In the first place, the cost for pupils is too high, and thus the College is based on exclusive and aristocratic principles: the child of the poor man cannot enter its walls, as he can in the grammar schools of England; secondly, the course of study is meagre, insufficient, and quite unsuited to the wants and wishes of the insular popu-

lation; thirdly, we deem it absurd to appoint gentlemen as directors, unless those directors can furnish unexceptionable testimonials of acute and extensive scholarship. These are the principal causes of the failure of this establishment, and were we so disposed, we could name three of the former directors who actually removed their sons from the very institution over which they were appointed to preside. Fine encouragement this to the farmers and tradesmen of the island.

It may be said to us, "Pray, Mr. Critic, can you devise a better system than the one now pursued at Elizabeth College? You can find fault fast enough, but can you remedy the evil of which you complain?" This is a very fair question, and we shall endeavour to answer it by throwing before the public of Guernsey the plan of education practised in the duchy of Saxe Weimar and throughout the whole kingdom of Prussia, remarking that the people of these countries are the most enlightened, as a mass, of any section of the inhabitants of the globe. We extract the following summary of facts from Balwer's "England and the English," one of the most masterly productions of our times, and one which all should, not only should read, but study.

Four common class-books are taught at all the popular schools at Saxe Weimar. "The first is destined for the younger children; it contains, in regular gradations, the alphabet, the composition of syllables, punctuation, formation of language, slight stories, sentences or proverbs of one verse upwards, divers selections, sketches, &c. The sentences, says Victor Cousin, struck me particularly—they contain, in the most agreeable shapes, the most valuable lessons, which the author classes under systematic titles—such as our duties to ourselves,—our duties to men—our duties to God—and the knowledge of his divine attributes—so that, in the germ of literature, the infant receives also the germ of morals, and of religion.

"The second book for the use of children, from eight to ten, is not only composed of amusing sketches—the author touches upon matters of general utility. He proceeds on the just idea that the knowledge of the faculties of the soul ought a little to precede the more profound explanations of religion;—under the head of dialogue between a father and his children; the book treats, first, of man and his physical qualities; secondly, of the nature of the soul and of its faculties, with some notions of our powers of progressive improvement, and our heritage of immortality; and, thirdly, it contains the earliest and simplest elements of natural history, botany, mineralogy, &c.

"The third work contains two parts, each divided into two chapters: the first part is an examination of man as a rational animal—it resolves these questions: What am I? What am I able to do? What *ought* I to do? It teaches the distinction between men and brutes—instinct and reason—it endeavours to render the great moral foundations of truth clear and simple by familiar images and the most intelligible terms.

"As the first chapter of this portion exercises the more reflective faculties, so the second does not neglect the more acute, and comprises songs, enigmas, fables, aphorisms, &c.

"The second part of the third work contains, first, the elements of natural history in all its subdivisions—notions of geography—of the natural rights of man—of his civil rights—with some lessons of general history. An Appendix comprises the geography and especial history of Saxe Weimar. The fourth book, not adapted solely for Saxe Weimar, is in great request throughout all Germany: it addresses itself to the more advanced pupils;—it resembles a little the work last described, but is more extensive on some points; it is equally various, but it treats in especial more minutely on the rights and duties of subjects—it proceeds to conduct the boy, already made rational as a being, to his duties as a citizen. Such are the four class books in the popular schools of Saxe Weimar,—such are the foundations of that united, intellectual, and lofty spirit which marks the subjects of that principality."

We now proceed to give an outline of the system of education adopted in Prussia, observing that universal education is made a necessary, pervading, and paramount principle of the state. To effect this object schools are established in every district, town, and village, throughout the kingdom.

"The Prussian law," observes Mr. Bulwer, "enacted in 1819, distinguishes two degrees in popular education, les écoles élémentaires, and les écoles bourgeoises. What is the object of these two schools—the law nobly thus explains: To develop the faculties of the soul, the reason, the senses, and the physical frame. It shall embrace religion and morals, the knowledge of size and numbers, of nature, and of man, the exercises of the body, vocal music, drawing, and writing.

"Every elementary school includes necessarily the following objects: Religious instruction for the formation of morality, according to the positive truths of Christianity. The language of the country. The elements of geometry and the general principles of drawing. Practical arithmetic. The elements of physical philosophy, of geography, of general history; but especially of the history of the pupil's own country. These branches of knowledge to be sparingly or drily taught? No! the law adds, to be taught and retaught as often as possible, by the opportunities afforded in learning to read and write, independently of the particular and special lessons given upon these subjects. The art of song, to develop the voice of children, to elevate their minds, to improve and ennoble both popular and sacred melodies. Writing and the gymnastic exercises, which fortify all our senses, especially that of sight. The more simple of the manual arts, and some instructions upon agricultural labour.

"Such is the programme of the education of elementary schools in Prussia. At the more advanced school (l'école bourgeoise) are taught; religion and morals; the national tongue; reading, composition, exercises of style and of the invention; the study of the national classics. Latin is taught to all children, under certain limitations, in order to exercise their understanding, even whether or not they are destined to advance to the higher schools, or to proceed at once to their profession or trades. The elements of mathematics, and an accurate and searching study of practical arithmetic. Physical philosophy, so far as the more important phenomena of nature are concerned. Geography and history combined; so as to give the pupil a knowledge of the divisions of the earth, and the history of the world. Prussia, its history, laws, and constitution, shall be the object of especial study. The principles of drawing, at all occasions. Also writing, singing, and gymnastic exercises. *This is the education given by Prussia to all her children.* It is computed that thirteen out of fifteen children from the age of seven to that of fourteen are at the public schools; the remaining two are probably at the private schools, or educated at home; so that the whole are educated, and *thus educated.*"

Now let the people of Guernsey compare this system with the plan pursued at Elizabeth College: we wish to impress the contrast strongly on the minds of parents who feel a real and sincere interest in the welfare of their children, and who are able to appreciate the mighty benefits of a solid and useful education. To erect this College, a large sum of money was levied—that cannot be recalled; what then admonishes prudence? To make the best of a bad bargain. We firmly believe that four grammar schools, in different parishes, would have done far more good than the magnificent College: but as the mischief is now done, it is the duty of the public to bestir themselves, and endeavour to infuse fresh life and vigour into this palsied and drooping establishment.

We would recommend the formation of a committee to draw up a fixed plan of education based on the Prussian system, as explained in the work of Victor Cousin, and that this plan should be printed and circulated, gratis, among all the farmers in the country. Secondly, we would advise that the terms of instruction be very considerably lowered, so that all the children of the island might receive the full benefit of the College, as is the case in Saxe-Weimar and Prussia. The number of students would thus be so considerably augmented, that the compensation to the masters would not suffer any diminution, and at the same time the whole population would feel a deep interest in the prosperity of the College. Besides, this establishment ought never to be looked at as a mercantile speculation, but as a national seminary, having nobler and purer views than the grabbing of filthy lucre. When a course

of study has been agreed upon, we would leave the practical trial in the hands of the masters, and prohibit any interference on the part of the Directors, unless those Directors were men of recognized scholarship.

There appears, moreover, to us one grand omission in the rules of this institution: we mean the entire absence of public lectures. We are convinced that boys will learn more from a single course of lectures than from a year of routine study, for a judicious lecturer will throw before a student a vast quantity of materials of reflection, which the student himself can only collect by driplets, and after years of laborious research. A lecturer is a sort of sign-post who directs the boy in the road he ought to travel. He disentangles a question of all irrelevant matter; he simplifies the subject; brings it down level to the apprehension of a youthful mind; and thus, by clear narration and perspicuity of method, he charms his pupil to the love of learning, and converts a repugnant toil into an attractive recreation.


There is a room in the lower part of the building now unoccupied. At an expense of about one hundred pounds it could be converted into a lecture room, capable of holding three hundred persons. The students ought of course to be admitted gratis; but, as many persons of adult age might feel disposed to attend, it would only be a fair encouragement and compensation to a lecturer, to make some charge for his time and trouble. This would be entirely optional on the part of the visitors, so that any payment would be free from any similarity to a tax. The pupils would thus not only acquire a general knowledge of the subject of each lecture, on which they would reflect and meditate when alone, but they would insensibly improve their style in literary composition. The room to which we allude is quite separate from that part of the College now devoted to scholastic exercises, and we are persuaded that it could not be appropriated to a better purpose. At any rate, there could be no harm in trying the experiment.

Before closing these remarks, we take leave to make one further observation on this subject. The mean in mind, and the worthless in spirit, may sneer at this recommendation, as proceeding from an individual who has delivered a few lectures at the Mechanics' Institution. They may consider that personal vanity or mercenary motives prompt us to urge this matter on the public. We leave such reptiles to grovel in the mire and slush of their own wretched debasement. Certainly, could our humble efforts render any service to any one of the institutions of this island, in which we have for ten years resided, they would be zealously exerted; but we have no other motive in view than the public welfare, and however the pier-walkers, or les juriconsultes du Carrefour, may settle this matter between them, we impress on the liberal, the enlightened, and the philanthropic, the expediency of establishing periodical lectures in connection with the usual studies pursued at Elizabeth College.

TO CORRESPONDENTS.

We have received Mr. WALLIN's Work on Dendrology, and shall comply with his request on an early occasion.

The Annual Report of the Proceedings in Sion House Academy, St. Saviour's, Jersey, has duly reached us; but we could not find place to notice it in our present Number in the way that it merits. We shall give the system an extended review in our next.

 *To prevent disappointment, we must apprise our Correspondents that all Communications must be sent not later than the 15th of each month, or else they must unavoidably be postponed.*

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DESTRUCTIVES AND CONSERVATIVES.

FALLACIES of language are among the most formidable enemies to the progress of truth. For since language is the medium, by which ideas are communicated from one man to another, it is essential, to avoid uncertainty and dispute in argumentation, that the same definite meaning should be invariably attached to the same expression. Controversialists, who neglect this precaution, are frequently hurried beyond the bounds of sound reasoning, and after arguing with warmth upon what they imagine to be a difference of vast importance, they discover, upon cool reflection, that they have been engaged in a mere verbal dispute. Words are but the representatives of ideas, as bank notes are the representatives of wealth; both are simply signs, and not the things signified: so that forgery may be committed in language, as well as in commerce.

It is the glory and boast of those who pursue mathematical science, that the study of it gives rise to none of those angry and interminable disputes which flow out of the discussion of politics, or the investigation of morals. Demonstration is the very essence of mathematics, and, as the accuracy or falsehood of every proposition is determined by fixed and acknowledged *data*, no theory or system, however plausible, can hope to receive encouragement, unless supported by solid and substantial argument. The science is in no respect speculative; it addresses itself to the judgment, not to the passions; it admits of no conjectures or surmises; on the contrary, all is certainty and fact. "An oval is never mistaken for a circle, nor an hyperbola for an ellipsis. The isocles and scalenum are distinguished by boundaries, more exact than vice or virtue, right or wrong."* Mr. Locke, however, maintained, that morality was as capable of demonstration as mathematics, and he was of opinion that the obscurity which prevailed in the discussion of it, was to be attributed solely to the abuse and imperfections of language. Towards the conclu-

* Hume's Essays.

sion of the ninth chapter of the third book on the Human Understanding, he thus expresses himself:—

“I must confess, that when I first began this discourse on the understanding, and a good while after, I had not the least thought that any consideration of words was at all necessary to it. But when, having passed over the origin and composition of our ideas, I began to examine the extent and certainty of our knowledge, I found it had so near a connexion with words, that unless their force and manner of signification were first well observed, there could be very little said clearly and pertinently concerning knowledge, which, being conversant about truth, had constantly to do with propositions, and though it terminated in *things*, yet it was for the most part so much by the intervention of *words*, that they seemed scarce separable from our general knowledge—at least, they interpose themselves so much between our understandings and the truth, which it would contemplate and apprehend, that, like the medium, through which visible objects pass, their obscurity and disorder does not seldom cast a mist before our eyes, and impose upon our understanding. If we consider in the fallacies men put upon themselves, as well as upon others, and the mistakes in men’s disputes and notions, how great a part is owing to words, and their uncertain and mistaken signification, we shall have reason to think this is no small obstacle in the way to knowledge, which, I conclude, we are the more carefully to be warned of, because it has so far from being taken notice of, as an inconveniency, that the arts of improving it have been made the business of men’s study, and obtained the reputation of subtlety and learning. But I am apt to imagine, that, were the imperfections of language, as the instrument of knowledge, more thoroughly weighed, a great many of the controversies which make such a noise in the world, would of themselves cease, and the way to knowledge, and perhaps peace too, lie a great deal opener than it now does.”

After a few more general remarks on the vagueness of language, Mr. Locke proceeds in the following manner:—“Men having been accustomed from their cradles to learn *words*, which are easily got and retained, *before they knew* or had framed the *complex ideas*, to which they were annexed, or which were found to be in the things they were thought to stand for, *usually continued to do so all their lives*, and without taking the pains necessary to settle in their minds determined ideas, they use their words for such unsteady and confused notions as they have, contenting themselves with the same words which other people use, as if their very sound necessarily carried with it constantly the same meaning. This, though men make a shift with in the ordinary occurrences of life, when they find it necessary to be understood, and therefore they make signs till they are so; yet this insignificancy in their words, when they come to reason, either concerning their tenets or their interests, manifestly fills their discourse with abundance of empty unintelligible noise and jargon,

especially in moral matters, where the words, for the most part, standing for arbitrary and numerous collections of ideas not regularly and permanently united in nature, their bare sounds are often only thought on, or, at least, very obscure and uncertain notions are annexed to them. Men take the words they find in use among their neighbours, and that they may not seem ignorant of what they stand for, use them confidently, without much troubling their heads about a certain fixed meaning; whereby, besides the ease of it, they obtain this advantage, that, as in such discourses they are seldom in the right, so they are as seldom to be convinced that they were in the wrong; it being all one to go about to draw those men out of their mistakes, who have no settled notions, as to dispossess a vagrant of his habitation, who has no settled abode."

The experience of every individual furnishes daily proofs of the justness of these remarks. "What is orthodoxy," enquired a young lady of Bishop Warburton. "Orthodoxy," answered the prelate, "is my doxy; and heterodoxy is another man's doxy." Yet how much blood has that word spilt; how many dungeons has it crowded with captives; how many families has it involved in misery! What opposite notions have been attached to the word luxury. The ascetic bigot considers it to denote sin and vice; the political economist, to imply usefulness and virtue. What words are more vague in their signification than "gentleman" and "respectability." Nothing, indeed, would be easier than to multiply examples of the uncertainty of language.

After Earl Grey had purified the House of Commons of the borough-mongers, the old watchwords of party, whig and tory, were almost totally superseded by the new terms of destructive and conservative. The modern phraseology is, beyond a doubt, much more expressive than the ancient: indeed, a whig was usually defined to be a tory out of place; but there can be no mistake about the operative meaning of the appellatives, destructive and conservative. The only question is, which of the two parties is most aptly characterized by these new terms? We all know that the oligarchy and the old boroughmongers affect to monopolize all the public virtue of the country, and now claim for themselves the title of conservatives; but it may be well to examine the value of their pretensions.

During the long period that this party was in power, they strenuously resisted every measure invoked by humanity or demanded by justice. They voted against the emancipation of the negro: they refused to admit the Roman Catholics within the pale of the constitution: they spurned the petitions of the dissenters, and maintained in full vigour the test and corporation acts: and to crown their political offences, they not only opposed the slightest reform in the representative system, but their leader declared insultingly to the whole public, that the wit of man could contrive nothing so constitutionally perfect, as the principle of rotten bo-

roughs. These facts are matter of history : they will never be forgotten, but will rise up in judgment against the hypocritical impostors who dare to brand their opponents with the epithet of destructives.

The laws and institutions of all countries, being the work of men, necessarily partake of the imperfection of humanity, and therefore constantly require revision. The whig or radical party acknowledge this principle, and are determined to carry it out into full practical effect. They desire to march with the spirit of the age, and accommodate all political institutions to the altered condition of society. They know that if a nation becomes stationary, it will soon retrograde ; consequently, they are solicitous to aid the onward movement of civilization by reforming flagrant abuses, and unloosening the chains of usage and prejudice. Surely, then, the whigs and radicals are the true and genuine conservative party, and their opponents the true and genuine destructive party.

The old boroughmongering faction thought, that they had made a grand hit, when their journalists coined the word "conservative." They knew it would tell among the timid, the imbecile, and the ignorant. If the liberals proposed to strengthen the church by abolishing pluralities, commuting tithes, or equalizing the distribution of the ecclesiastical revenues, they were rabidly denounced as destructives, and enemies to religion. If the liberals proposed to lower the duties on foreign corn, then of course they intended to destroy the working farmer ; for, be it observed, this impudent sophism was conservative of the grinding rents of the oligarchy. If the liberals demanded a revision of the pension list, then were they denounced as destroyers of vested interests. If the liberals asked for some modification of the criminal code, or of the law of debtor and creditor, or for such change in the system of legal proceedings, as would render justice speedy and cheap of attainment, then indeed they were about to destroy the very pillars of the constitution. By such mean arts and base calumny have the successors of Earl Grey been assailed, and they have had their effect in some few county elections, where the ignorant and unreflecting voters have been deluded by a fallacy of language ; but these momentary triumphs, in isolated spots, are no indications of the sterling and manly good sense of the enlightened and educated people of England.

If we substitute ideas for words, and sense for sound, we ascertain that a conservative is a weak, timid, well-meaning, but rather imbecile creature, who fears changes because his penetration is too contracted to see consequences, and who has not courage to redress a known evil. A genuine tory is he, who perfectly sees the result, and very correctly anticipates from reform, that his own reign of power and plunder will be cut short ; and, that he will be allowed no longer to fatten upon the public ; therefore, under the assumed name of conservative, which, he hopes, will serve as a disguise, the genuine tory opposes reform. The

former character describes that section of society, who, if they had the sway, would put a stop to all improvement in education, science, and government; because, such improvements would be changes and innovations, and because their imbecility would not be able to determine the consequences of such changes. The latter character describes those who would, if they had the power, destroy the liberty of the press, and reduce every inhabitant of the United Kingdom to the level of a Russian serf.

The motto of toryism and conservatism is "Stand still:" the motto of whiggism and radicalism is "Move forward." The one party act on the stationary system: the other party adopt the progressively advancing system. The former resist the spirit of the age: the latter act in accordance with its dictates. Is it not then palpably evident that the measures of the whigs are the real conservative measures, and that the policy of the tories is the real destructive policy? By conceding the just claims of the people, the whigs have averted a revolution: whereas, had the tories remained in power, after the memorable eulogium pronounced by the Duke of Wellington on rotten boroughs, a political convulsion was inevitable. The principles of toryism are essentially exclusive and friendly to monopoly: those principles cannot co-exist with encreasing education: had a struggle ensued, the bayonet would have met the mind and intellect of the people in the field, and brute force must ultimately have succumbed to knowledge. To the very verge of this dire conflict, the tories had goaded an exasperated people; from this imminent danger the clear sense of the king rescued the nation, by discarding from his councils the tory faction, and confiding the helm of government to Earl Grey, whose memory will be revered by generations yet unborn among the proudest and dearest recollections of national liberty.

We have endeavoured in preceding numbers of this Magazine to establish, in a plain and popular form, the fundamental principles of government, insisting that they all flow out of natural law. If the opinions we have put forward be correct, then political science can be reduced into a system, and be freed from the fallacies of language. What does it signify, whether you call a man a cavalier, or a roundhead:—a whig, or a tory?—a conservative or a destructive?—provided you affix a precise meaning to this political nomenclature. What the people are interested in, are sound and substantial acts, not empty words; and if the measures of a statesman produce the greatest happiness of the greatest number, he alone is worthy of public confidence, no matter in what cognomen he rejoices. There is, however, a fashion in language: a person who bears the name of Smith or Tayler is not esteemed so highly by the vulgar, as he who is called Fitzroy or Cavendish. On this point, the gullibility of the English is truly wonderful: the shadow alone attracts and rivets attention;—the substance is utterly neglected. You have only to say that the church is in danger, and the poor dupes anticipate the destruction of

christianity itself. Why is this? Because they are deluded by the fallacies of language, and confound the church with the gospel, the human and mortal expounders of our faith with the divine oracles themselves. It was jocularly said of the late Sir William Curtis, that, when suffering under a violent attack of gout, a friend offered a prescription which he declared would effect a *radical* cure. "I will take none of it," said the tory baronet: his friend saw his mistake, and avowed, from his own experience, that the medicine was a *sovereign* remedy for gout. The baronet instantly rang his bell, and dispatched his servant to a neighbouring chemist to prepare the prescription. As a mere joke, the anecdote is not a bad one; but as an index of the spirit of our times, it carries with it an instructive moral lesson.

This preference of words to ideas, of sound to sense, is peculiarly an English vice. The word "trade" grates harshly on the ear of pride; every one now-a-days follows his "profession." A nobleman's manservant, is my lord's "gentleman." Every corn-cutter styles himself a "chiropodist," a fine sonorous Greek word signifying "a handler of the feet." Have we not the "kalydor," the "eau de millefleurs," the "odonto" and the "mineral marmoratum," and the "balm of Gilead?" We question whether Morison, the prince of modern quacks, would have sold one tenth of the pills with which he has purged his majesty's lieges, had he not styled himself "the hygeist:" but who could resist this seducing title, coupled with the "college of health," and the friendly caution against the subterfuge of the double R and the double S? Did not a peer of the realm give his lordly title to two slices of meat enclosed between two slices of bread, known to all cooks by the name of a "Sandwich?" and did not another sprig of nobility dignify a gig with the appellation of a "Stanhope?" and who has not heard, that an umbrageous brimmed hat, formed in the shape of a punt, was called a "Jolliffe," in honour of its clerical godfather? and that a shaggy great coat, ycleped a Petersham, claims kindred with the illustrious house of Harrington. Such are some of the signs of the times, in proof of the folly of our generation, who suffer their judgment to be led astray by gross perversions of language.

Were this evil confined to the frivolities just noticed, they would only excite a smile of contempt: but the pernicious influence has unfortunately extended to political institutions, and it requires a vigilant correction. The ancient nobility of England,—men who have the largest stake in the country,—who are immeasurably superior in every advantage and comfort to any foreign prince,—who have all to lose, and nothing to gain,—are held up to the people of England as destructives—as political suicides—and by whom? By a desperate and heartless faction, under whose misgovernment the country has been loaded with a crushing national debt, and whose fathers, wives, brothers, sisters, and mistresses are pensioned

on the industry of the mechanics! The only true friends of the people are denounced, as revolutionists; and the embittered enemies of the people are, forsooth, the only true supporters of the constitutional monarchy! Such is the fallacy of language!

THE LAKE OF GENEVA.

FROM THE GERMAN OF MATTHISON.

*Ille terrarum mihi præter omnes
Angulus ridet.* *Hos.*

On thy fair shores where, from the labourer's hearth
To the proud palaces bright, marble halls,
Plenty's gold urn o'erflows; where artless mirth
On the charmed ear in songs of freedom falls,

Where peace and joy, serenely mild, have still
Entwined with ivy my unclouded brow,
Since first the image of thy white-veiled hill
I viewed, reflected, in the stream below.

Where, lonely, on the moss-clad rock's steep side,
Near mountain torrents that amongst Tannen foam,
Methinks at Xenophon and Plato's side
In sweet Ilysus' myrtle groves I roam.

Where all absorbed in nature's scenes sublime,
On her my eyes, like bees on flowers, repose,
Sweet lake! where turns my song to that young time
When wilds untenanted thee deep enclosed.

Then rolled, where yonder in calm evening's sheen,
Geneva! now thy gilded towers appear,
The Rhodanus his waves dense groves between,
Wrapt in a gloom chaotically drear.

Then heard thy lovely, paradisial plains,
Where nature now her sweetest charms reveals,—
Only the forest's deep appalling strains,
Wild beasts' and tempests' roar, and thunder-peals.

No blithesome song from the grape-gathering maid,
No harvest jubilee, no shepherd's flute,
No winding horn from forest, hill, or glade,
Hailed ruddy evening's star—sweet sounds were mute.

No village dance by Cynthia's silvery light,
No festal meal round Tell's loved monument,
No lovers strolled o'er groves where violets, bright
As those in Athens' vales, with green were bleat.

Hushed was the wood, save when o'er some wild path—
Where bears at night to rocky clefts retired—
The savage buffalo to his wonted bath
Loud bellowing rushed, with wild desire inspired.

As if the moon a dubious light were beaming
On a vast sphere in awful ruins laid,
So did she, through her vapoury covering gleaming,
Beam on this spot, then wrapt in desert shade.

Then out of murky chaos' aged night,
As far as Leman's wave amidst silence rolled,
God bade this paradise with splendour bright,
Its softest beauties magical unfold.

This proud, self-guarded land—like Tempe—where combine
Earth's choicest gifts to charm both eye and taste;—
This wondrous work of nature's hand divine,
With beauties, like the sun with splendour, graced.

Where he—whose sacred urn truth's self with tears
Bedewed, and sad with ivy wreaths entwined—
The bounds of the eagle flight, amongst viewless spheres,
In Heloise's magic world could find.

O Clarens! peaceful rising on the strand,
Thy name will blazoned live till time shall end!
O Meill'eric! majestic, rudely grand,
Thy fame will brightly to the stars ascend!

To thy huge rock, whose top fall-threatening hangs,
In whose vast caves, where night eternal slept,
For Julia oft, with Sappho's raging pains,
With Orpheus' tears, the banished lover wept—

To thy tall peaks, which eagles hover o'er,
Where from the welkin furious streams descend,
Will oft—sweet feelings thrilling his heart's core,
With her he dearly loves the stranger wend.

'Tis sweet from Etna's airy height to view
Sicilia's fable groves, the sea green specked
With isles, and Stromboli's volcano too,
When all with Phœbus' morning beams are decked.

But sweeter still, when day melts into night,
From the Dole's top the magic lake to view,
Slight curved like Dian's horns of silvery light,
And girt with giant peaks of heaven-tinged hue.

'Tis sweet in Tibur's grove by gurgling rill,
Where, winged from spirit realms oft Flaccus* strays,
By Cynthia's light Albanian wine to fill,
And pledge the genius of bright ancient days.

But sweeter yet, amongst Prangin's scenes divine,
What time his leafy arches bud anew,
And birds sweet chirp in bush, fir, oak and pine,
To solemnize the bond of friendship true.

Delightful 'tis, when, heavenward thundering, bright
The dread volcano's sheets of flame uprise,
On Naples' gulf, in the light skiff at night,
To glide, whilst waves reflect the star-decked skies.

With more delight on Leman's breast serene,
When sink in twilight's shroud both vale and hill,
I see the towering ice world's purple sheen,
In darkened clearness, plainly mirrored still.

On Hellas' heights the wanderer can but see,
Surrounded by remains of splendour ended,
Tyranny's deep-marked traces, though both sea
And land are so enchantingly there blended.

Here, glad Helvetia's happy lot I bless;
Here, by sweet industry's rich fruits surrounded;
Here my heart shares a free realm's happiness,
On man's just rights and on calm reason founded.

On Seine's† fair shores now raging tempests lour,—
Roused Gaul to arms with lion-fury rushes,
Her fetters burst, and misery's giant tower
Proud freedom's thunder-voice to atoms crushes.

Peace rears its olive-branch on Leman's side—
From town and village joys glad song ascends;
The poorest deems he's rich—he's satisfied,
And concord freedom's rock-built towers defends.

Here wisdom would for me her roses strew,
And peace celestial in my soul repose;
And friends, O golden thought! midst evening's hue,
In life's last hour, my eyelids, weeping, close.

In this sweet grove, where the alder-brook doth flow,
A garden small before a little cot,
Where slender poplars picturesquely grow,—
Is all I ask of fate to be my lot.

Contentment then would every care dispel,
Safe from the world, within my stormless haven;—
Where friendship, wisdom, love, and nature dwell
In pious harmony, sure there is heaven.

On yonder cape, where foaming billows glisten,
Where meditation loves, in mead or glade,
Toauteous nature's noiseless steps to listen,—
There would my grave rise, 'neath the oak's dim shade.

† The *first* French revolution is here alluded to. It is a rather singular fact, that whilst I was engaged in translating the above piece, the *second* French revolution broke out.

No marble bust, no stone with fulsome strains,—
 From which, deep blushing, truth oft turns away,—
 Would then disgrace the slumberer's last remains,
 Whom ne'er had dazzled grandeur's transient ray.

The glowing rose would o'er my dust alone
 Inhale the moss' odour in its bud;
 The tear-fraught meadow's pendant boughs would moan,
 And, softly whispering, dip them in the flood.

The nightingale in spring's green bush embowered,
 Would for her friend in yonder twilight sigh,
 Me, Daphne, too, with tenderness o'erpowered,
 The offering of a tear would not deny.

And in the village, legends soon would say,
 That there, subdued, like distant choirs of bees,
 Soft as spring's blossoms rustle on the spray,
 The swains heard songs by moonlight on the breeze.

J. D. PIERCY.

MARIA ASHTON; OR, THE REPENTANCE TOO LATE.

THE tropical seasons in the island of Jamaica are very heavy, and it is not unusual for rain to continue, with very little intermission, for five or six weeks, without one cheering glow of sunshine. On such occasions the vallies are inundated and the rivers swollen most alarmingly; in short, rendered totally impassable. Stone walls and strong fences are rooted from their foundations and borne as straws upon the awful current; and desolation and ruin spread their long arms over the land.

It was on the morning next ensuing one of these visitations that Raymond left the estate called Seville, in the parish of St. Ann, where he had slept.

This was much against the advice of the overseer, worthy Mr. John Brown, who considered it impracticable to travel in such a state of the roads; besides, he felt assured that his guest would not be able to cross the Rio Bueno, which flowed between him and Mondego Bay, the town to which he was bound.

It was a beautiful morning, such a morning as one never sees but after such weather as had preceded it. It appears, on such occasions, as though nature, like an over-fond mother, regretted the severity of the chastening she had inflicted, and would destroy the impression from our mind by an excess of kindness. The crystal drops still hung from the long pointed leaf of the plantain; the pattering of myriads of liquid pearls still mingled with each gust of the rising seabreeze, and the rivulet that had so oft delighted the traveller with its mild murmur, as it rippled along and disappeared in glassy bubbles amid the tall rushes and wild canes, still

raised her voice to compete with her swollen form, and roared as though she would emulate the boundless ocean. The aerial choristers were every where seen perched upon the boughs, with their wings expanded to catch the invigorating ray, warbling their gratitude. Raymond's horse seemed to be of the overseer's opinion, (who had counselled him to remain a day or two longer at Seville, to allow time for the waters to subside,) for he left the clean stable with a tardiness unusual with him when he was homeward bound, and this he knew full well. At length they arrived on the banks of the Rio Bueno; it was considerably swollen and dangerous. He paused. What young man likes to turn backward and own himself wrong! It must be confessed he wished most ardently that he had yielded to prudent advice. It was during this pause of self-examination and indecision, that he discovered a person sitting behind a small thicket on the opposite bank, seemingly lost in thought. He was habited scarcely better than a negro, and but that Raymond perceived that he wore shoes and hose, he would have taken him for one. A check shirt, a scanty contour (or cloak) belted round him with a broad strip of bark, completed his costume. A fowling-piece leaned against a tree near him. "Holloa," cried Raymond, "may I venture the river, friend, to-day?" "I have crossed it," he replied hastily. Another word was not necessary to stimulate a spirited youth. He put spurs to his horse and with considerable hazard reached the opposite side, and was soon face to face with the singular stranger. He now saw, for the first time, that the unknown held in his hand a small black pocket-book, which, on perceiving the traveller's approach, he thrust into his bosom. His countenance was deeply furrowed with care, but not with age. His eyes were far sunk into their sockets: his taper fingers appeared of unnatural length, deprived as they were of flesh, and there was a marked contempt mixed in the bitter smile with which he replied to the question. "Whether he had met sport in shooting?" "I seek not sport," cried he, "but to live." "Mysterious being," said Raymond, "how comes it that I see a white man as it were a hermit, in the midst of society? In appearance a negro, in speech a philosopher." "I am no philosopher," said the stranger, "I would to God I were! aye, or a negro: for then I should subdue my anguished feelings by reason, or blest in ignorance had never thought at all! but regarded the woes of life passing around me as so many straws upon the tide."

Raymond's curiosity was strongly excited, and he resolved to avail himself of a pretence of weariness and the heat of the sun, to seat himself beside him. He alighted, and hitched his horse to a shrub beneath a tall Santa Maria tree, took out his luncheon and invited him to partake. He declined by signs. "You have dropped your pocket-book," said Raymond, picking it up from the grass, and extending his hand to restore it. The stranger grasped it with the eagerness of one who considered it all his earthly treasure, and again more securely thrust it into his bosom. "You

attach great value to that," said Raymond, inquiringly. A tear rolled silently down his prematurely furrowed cheeks, as he turned his eyes and palms toward heaven in supplication for pardon of some past sin, that withered his soul with remorse. After a pause, with a deep sigh drawn from the bottom of his breast, he echoed, "Value it? O that I had never seen it, for it has caused all my woes."—His mind was overcharged and he could not proceed. He hid his face and trembled fearfully. At length he continued in a calmer voice—"and yet it was the test of her innocence, and therefore,—yes! *I do value it.*" He turned towards Raymond with a look of horror, and fearful retrospection mingled, and exclaimed fiercely: "Stranger! you have conjured up visions of the past that bewilder my brain. I scarce dare to look upon you; for it was such a form, such azure eyes, and such a mien that drove me to perdition. His cheek was roseate as yours with love, when mine was deadly pale with revenge. His —." In repeating these words, he fixed his expanded eyeballs upon Raymond. The pupils dilated more and more, his whole frame became convulsed, his lips were livid, the blood rushed hastily toward the seat of life, and he sunk insensible upon the earth. Nature, overcome by contending emotions, could no longer sustain the unequal conflict, and the wretched being's existence was now fluttering upon the verge of eternity, suspended by a thread of gossamer texture.

Raymond procured water in the leaf of a plantain, and administered to him. He partially revived several times to sink again; at length nature rallied, and he was enabled to speak. "That fatal meeting—that dreadful error," he said, "I loved her—heaven knows I loved her! O God! pardon me." "But why," replied Raymond soothingly, "do you thus sorrow as one without hope? You loved her, you say; you were faithful no doubt." "My faith was never even doubted." "Then was she faithless perhaps," continued he, "to the true of heart, and, if so, thou shouldst now remember her only as one whom Christian charity commands—we pity and fervently hope she has found pardon." The forester's countenance was now suffused with a hectic glow; he caught the hand of Raymond. "She was innocent, and I a fiend of hell—damned—without ending, damned. O, she was purity itself." With great effort he arose: "You have evinced," he continued, "interest in the fate of a wretch. You have desired to save a brand from the burning. You cannot—my case is beyond hope." He paused a moment; he appeared to deliberate within himself.—"Follow me," cried he, "if thou wouldst learn to hate mankind and seek to mate with brutes."

He rushed into a coppice near, and Raymond, anxious to learn his adventures, followed. In the centre of the spot was a hut artfully concealed. A fire was burning upon the earth. The curiosity of the traveller was awakened, and he resolved to learn, if possible, the cause of so severe a penance. The room into which they were introduced was

twelve feet square. A broad piece of cedar nailed upon a rough stump of a tree served for a table, and logs of the same materials for chairs. They were soon seated and the stranger began :

“When you have heard my afflicting tale, no longer will you wonder that I am lost to society, but rather will your surprise be excited that I should endure the burden of life at all. I am past the aid of friendship. A blighted heart—a soul beyond the hope of Heaven’s grace. Home ! that word of comfort to others is to me a sound that drives to madness. Two years have scarce passed since the wretched being before you was happy in his native land, blest with a small patrimony, and the love of a virtuous woman. What could possibly augment such a man’s bliss ? O heavens ! behold me now—an outcast. But I will endeavour to be collected. My patrimony lay in the romantic village of Norwood.

“On the left side of the main road, in the outskirts, still remains a white cottage in the midst of a wilderness, once a garden, wherein the woodbine and sweet eglantine were taught to twine their intricate fibres : the rose, violet, and brier, vied with each other for the palm of sweetness, as did the lily, mignonette, and jasmine.

“I had been many years from home acquiring knowledge. It was at the closing of a beautiful spring day that I was welcomed at the door of my paternal residence by the little group so dear to me—two sisters and my excellent mother. There were three more to welcome me the last time I had the happiness of alighting. But death had made sad ravages. Two comely boys and my father had paid the great debt of nature and primeval crime. My remaining parent never recovered the shock of my dear father’s death, and seemed impatient to follow him.

“I however, for a time, suspended the upraised dart of death, and she struggled with existence for my sisters’ sake—for my sake—for I was the very image of my father. I must now hasten to the tale of my misfortunes ; I must add, my crimes.

“I had often noticed in my walks through the adjoining village of Merton, a slender girl attending upon her aged father, who was in a state of great debility. His hair was long and white ; his air, as of one who had seen better times ; and his cottage bespake the diligence of his dear daughter and only comfort. O, it was an enchanting picture of filial piety ! when I, like the serpent of old, crept into their confidence, met them in their little walks, and assisted them in their little arrangements at home. Still they knew me not, but my candid behaviour and deportment inspired trust and faith. I could not but perceive that my attentions were acceptable. At length, I obtained the opportunity of seeing her alone. She was sitting beneath a small veranda we had formed at the door, of slender twigs, over which the double jasmine blossomed. I told her the devoted love I felt for her. O, how lovely was the blush of innocence ! She forgot the part she should have played, or rather she

had not learned it, a part so necessary to guard against the arts of subtle man. 'Yes,' said she, 'I own it—I love you, Augustus : I shall ever love you. My father loves you too, and will rejoice to hear that he will leave a protector for his poor daughter, which was ever the cause of much sorrow to him. Father,' she continued as the old man opened the cottage door, 'Augustus loves me and I love him ; yes, you will be happy—we shall all be happy.' I opened my arms and she sunk into them. She wept tears of joy upon my bosom. Her father raised his hands over us, and silently invoked a blessing. Heaven smiled upon us. We quitted each other but to twine our arms around her parent, who, like the sturdy oak clasped by the mantling ivy, seemed renewed in vigour, as he smiled upon his innocent offspring. Shall I describe these days ? No. It will madden me—it will drive me to despair.

"My mother died, and I became the sole possessor of the cottage. I was in my twenty-second year. I was healthy. I was animated with the thoughts of independence. I was, in short, the sought-for, in a small village like Norwood. I became vain—I looked now higher than the pious, the dutiful Maria Ashton. I began to see faults in her very virtues. I, for the first time, now found it necessary to inquire what they were, and I learned to my joy—yes ! fiend as I was—to my joy—that some secret reason had caused them to quit Devonshire and occupy this retired cottage, so far from their native place. I, with detestable sophistry, hinted to Maria the necessity of my knowing this secret and my resolution to know it. She was thunder struck. She laughed—she wept ; at length a swoon kindly came to her relief. She recovered ; she reproached me not, but, Oh ! her eyes spake volumes. Her father was ill at the time. She had enough of anxiety and trouble upon her mind already, and I had a thousand-fold augmented them. I retired to my solitary dwelling (my sisters were at school) ; I there sat as lord and master. I had not, as usual, kissed my meek, my innocent love at parting. Did she not feel this ? O yes ! The breast of love is keen at alight. I called in the morning after this my cruel conduct. Her father was much worse. She welcomed me not—all was silent. With a light step and an accusing heart I entered his bedroom. She was kneeling by his bedside, bathing his hand with her involuntary tears. With his right hand he was parting the beautiful auburn locks that hung dishevelled over her forehead ; a smile was beaming upon his pallid countenance—a smile of approbation. They saw me not—I knelt beside her—she became conscious of my presence. She passed her delicate arm over my shoulder, for love and innocence had obliterated my unkindness for the moment from her thoughts, in the rapture of seeing me again. She sobbed convulsively her joy. She was again happy—the prodigal had returned ; but alas ! what fleeting treasures are all our earthly joys ! Her father smiled upon us ; he had not been informed of my delinquency by this

most excellent daughter. She would not dim the lustre of this parting hour, nor call his thoughts painfully again towards sublunary objects. He made an effort to rise—we assisted him ; he took her hand—he placed it in mine—he raised his eyes, and appeared to pray—it was the last fond thought of earth—he gently sunk to sleep for ever !

“ Shall I describe our grief ? Yes, I can say *our* grief ; for I really loved the old man. He had poured excellent precepts into my mind, but alas ! they had fallen upon the sand, as it were ; still, I could not but acknowledge the force of truth. I now became the sole protector of Maria. She was as a gift to me from the departed. O how did I fulfil my solemn trust ! But I must continue.

“ To trace the progress by which an innocent bosom was decoyed from happiness to vice, were but to draw a picture of human frailty, that thousands have already wept over. The destroyer, assuming the form of a beloved object, renders the gulf of misery alluring, and the mist of affection conceals the rapidity of the descent to ruin and shame ! The lovely Maria Ashton became my mistress ; satiety palls upon the appetite ; after a few short months, in an unlucky hour, I resolved to desert my victim. However, I thought it best to fix her little income in such a way that even she herself could not destroy the principal, should the lesson I had instilled sink her deeper into vice. The secret that had brought the father and daughter from Devonshire I had never learned, nor did I now desire to know.

“ It was on a chill November night that I bent my way towards the cottage of Maria. Already had I crossed the garden, when by the light within I discovered—think of my surprise and grief—yes ! I plainly saw my Maria in the arms of a young man ! They were both standing on the further side of the table on which was the candle ; I could, therefore, distinguish the figures accurately through the lattice. Good God ! my blood boiled—my brain throbbed. Though I was about to desert her myself, I could not bear to think she could love another. She kissed him repeatedly : their eyes were overflowing with joy. I could view no more ; my deep curses reached the lovers. He hastily embraced her, and before I could accomplish my entrance at the front door, he had escaped at the back, bounded over the small fence which enclosed the garden, and disappeared. In short, I was paralyzed. I rushed in—I seized her by the throat. Jealousy had maddened me. She dropped upon her knees before me. I relinquished my murderous grasp, and snatching up a letter which lay on the table, with the most bitter imprecations left the cottage.

“ Arrived at home, I tore open the epistle. The first words that met my view had the power of fascination, for they rivetted my eyes upon them, while at the same time they chilled my heart to the coldness of marble. O God ! can I ever forget that dreadful night !” The unfortunate man

here took the pocket-book out, and, opening the letter it contained, put it into Raymond's hand, and buried his face in his palms. The contents were as follows :—

'My dear Sister,—Your intercession has at length prevailed, and I am this day to be released on condition of my banishing myself from my native land for ever. I bow to the justice of my sentence, for I united with those who would have overthrown the constitution and put up anarchy and confusion in its stead. I cannot part from all without taking leave of you and my dear father, if he has outlived my shame. I shall, therefore, be at the cottage after dark, and must leave London to-morrow at dawn. Tell no one, as it would bring *him* into trouble who, confiding in my honor, has granted me this indulgence. God bless you.

'HENRY ASHTON.'

"I retraced my steps to the cottage with the rapidity of lightning; I rushed in—all was dark. I called—all silent. I invoked every power to point out my poor suffering girl—in vain! At length, exhausted with fatigue, I sunk upon her deserted bed in a swoon. How terrible were my visions! How sincere my repentance! The past rushed upon my mind—the innocent acknowledgment of her love. Her good father upon this very bed had blessed us. O what an age of sorrow-bearing deeds may be accomplished in a few fleeting months! My visions were changed; I became calmer; I saw the desired future course. I was yet able to render her happy—a life of endearments should obliterate the past. Yes, I cried aloud in my dream—yes, my beloved Maria, my suffering angel—you shall yet be happy—you shall smile again—your virtuous heart hath conquered!

"My own voice awoke me. It was broad daylight. The bright sun glared in upon the bed: some one held me. O God! support me to tell the tale. It was my Maria. She was kneeling by the bedside. She was grasping my hand between hers—but—she was cold—she had passed away; her soul had fled, and she stared upon me in the ashy livery of death—a stiffened corpse!"

R. B.

Allez-Street.

ON THE OPERAS OF QUINAULT.

THE opera was introduced into France by Cardinal Mazarine, who invited several of his countrymen to reside in Paris to amuse the court with the exhibition of musical dramas. These entertainments were given at the Louvre at a considerable expense, but they were attended with very little success. The cardinal, however, had the merit of bringing forward a novelty, and though he failed himself in this experiment, it is admitted that he laid the foundation of this new temple of the muses, afterward erected by Lulli and Quinault.

Opera is a species of drama formed by the combination of poetry and music, but it requires that the former should be subordinate to the latter, and that the harmony of sound should predominate over the harmony of verse. In the joint exhibition of these two delightful arts on the stage, it is essential that poetry should lay aside her more gorgeous robes, that music may appear to greater advantage, so that the latter becomes the reigning queen, while the former is content to be the humble subject. In opera, then, Melpomene lays aside her stateliness and dignity, and serves Polyhymnia as her handmaid. Happily for the success of the musical drama in France, the genius of Quinault was precisely adapted to perform this secondary duty : he never could have reached the sublime, for his poetical talent was of a very different order from that of Racine or Corneille. He could not soar to bold and lofty metaphor, to the burning eloquence of the passions, nor delineate the workings of human nature in its moments of wild energy, of fierce resolution, of despair, or revenge. But he possessed a graceful elegance of thought, a correct ear, and an exquisite taste ; and though his writings have not added to the richness or vigour of the French language, they give abundant proof of its flexibility and harmonious cadence. If Racine and Corneille appear to be ever accompanied by the tragic muse, Quinault seems favoured with the constant attendance of the loves and graces. Are not, indeed, the following lines of Hierax, in the opera of Isis, a justification of this compliment ?

Depuis qu'une nymphe inconstante
A trahi mon amour, et m'a manqué de foi,
Ces lieux, jadis si beaux, n'ont plus rien qui m'enchanter.
Ce que j'aime a changé : tout est changé pour moi.

L'inconstante n'a plus l'empressement extrême
De cet amour naissant qui répondait au mien :
Son changement paraît en dépit d'elle-même ;
Je ne le connais que trop bien.
Sa bouche quelquefois dit encore qu'elle m'aime ;
Mais son cœur ni ses yeux ne m'en disent plus rien.

Ce fut dans ces vallons où, par mille détours,
L'Inachus prend plaisir à prolonger son cours ;
Ce fut sur son charmant rivage
Que sa fille volage
Me promit de m'aimer toujours.
Le zéphyr fut témoin, l'onde fut attentive,
Quand la nymphe jura de ne changer jamais ;
Mais le zéphyr léger et l'onde fugitive
Ont enfin emporté les serments qu'elle a faits.

Listen, again, to Hierax complaining of the faithlessness of his mistress.

Vous juriez autrefois que cette onde rebelle
Se ferait vers sa source une route nouvelle

Plutôt qu'on ne verrait votre cœur dégagé.
 Voyez couler ses flots dans cette vaste plaine,
 C'est le même penchant qui toujours les entraîne ;
 Leur cours ne change point, et vous avez changé.

She replies, that his rivals are not better treated ; on which he answers :

Le mal de mes rivaux n'égale point ma peine.
 La douce illusion d'une espérance vaine
 Ne les fait point tomber du faite du bonheur :
 Aucun d'eux comme moi n'a perdu votre cœur.
 Comme eux à votre humeur sévère
 Je ne suis point accoutumé.
 Quel tourment de cesser de plaire
 Lorsqu'on a fait l'essai du plaisir d'être aimé !

No writer has, so skilfully as Quinault, given to gallantry that refined and delicate grace which imparts to it the deepest interest and the highest charm in the mind of woman, of which the following verses are a specimen. Jupiter, in this same opera of *Isis*, descends on earth to visit the beautiful *Io*. Mercury thus announces the arrival of the ruler of Olympus to the favoured nymph :

Le Dieu puissant qui lance le tonnerre,
 Et qui des cieux tient le sceptre dans ses mains,
 A résolu de venir sur la terre
 Chasser les maux qui troublent les humains.
 Que la terre avec soin à cet honneur répond,
 Échos, retentissez dans ces lieux pleins d'appas :
 Annoncez qu'aujourd'hui, pour le bonheur du monde,
 Jupiter descend ici-bas.

This announcement is a ruse de guerre on the part of Mercury to deceive the other Olympians, as to the true object of Jupiter. He then addresses *Io* personally, and, as it were, confidentially, and the verses are highly flattering to the young beauty, while they show the tact of Quinault to full advantage.

C'est ainsi que Mercure,
 Pour abuser les dieux jaloux,
 Doit parler hautement à toute la nature ;
 Mais il doit s'expliquer autrement avec vous.
 C'est pour vous voir, c'est pour vous plaire,
 Que Jupiter descend du céleste séjour ;
 Et les biens qu'ici-bas sa présence va faire
 Ne seront dus qu'à son amour.

Jupiter now comes on the scene and encounters *Io*, when the following exquisite dialogue ensues :

Io.

Que sert-il qu'ici-bas votre amour me choisisse ?
 L'honneur m'en vient trop tard ; j'ai formé d'autres nœuds.
 Il fallait que ce bien, pour combler tous mes vœux,
 Ne me coûtât point d'injustice
 Et ne fit point de malheureux.

Jupiter.

C'est une assez grande gloire
Pour votre premier vainqueur
D'être encore dans votre mémoire,
Et de me disputer si long-temps votre cœur.

Io.

La gloire doit forcer mon cœur à se défendre.
Si vous sortez du ciel pour chercher les douceurs
D'un amour tendre,
Vous pourrez aisément attaquer d'autres cœurs
Qui feront gloire de se rendre.

Jupiter.

Il n'est rien dans les cieux, il n'est rien d'ici-bas,
De plus charmant que vos appas.
Rien ne me peut toucher d'une flamme si forte.
Belle nymphe, vous l'emportez
Sur toutes les autres beautés,
Autant que Jupiter l'emporte
Sur les autres divinités.
Voyez-vous tant d'amour avec indifférence ?
Quel trouble vous saisit ? où tournez-vous vos pas ?

Io.

Mon cœur en votre présence
Fait trop peu de résistance,
Contentez-vous, hélas !
D'étonner ma constance
Et n'en triomphez pas.

Jupiter.

Et pourquoi craignez-vous Jupiter, qui vous aime ?

Io.

Je crains tout : je me crains moi-même.

Jupiter.

Quoi ! voulez-vous me fuir ?

Io.

C'est mon dernier espoir.

Jupiter.

Ecoutez mon amour.

Io.

Ecoutez mon devoir.

Jupiter.

Vous avez un cœur libre, et qui peut se défendre.

Io.

Non, vous ne laissez pas mon cœur en mon pouvoir.

Jupiter.

Quoi ! vous ne voulez pas m'entendre !

Io.

Je n'ai que trop de peine à ne le pas vouloir :
Laissez-moi.

Jupiter.

Quoi ! sitôt.

Io.

Je devais moins attendre.
Que ne fuyais-je, hélas ! avant que de vous voir.

Jupiter.

L'amour pour moi vous sollicite,
Et je vois que vous me quittez.

Io.

Le devoir veut que je vous quitte,
Et je sens que vous m'arrêtez.

Any minute criticism of this splendid dialogue would be superfluous, for its beauties are so transparent, as to be visible at a glance. We shall merely notice the sweet and harmonious cadence of the verses put into the mouth of Jupiter, commencing with "Il n'est rien dans les cieux, il n'est rien d'ici-bas," as a choice specimen of Quinault's style; for there is a facility and melody in them so truly musical, that if they had not been expressly composed for an opera, no one, having a correct ear, could refrain from singing them to some impromptu tune. How fine a tact does our author show in the contrast, "Ecoutez mon amour: Ecoutez mon devoir:" how much is expressed in a few words; how skilfully are the two ruling and antagonist principles brought into collision!

In the operas of Perseus and Phaëton, Quinault has embellished the French stage with the brilliant and vivid descriptions of Ovid and the wonders of his metamorphoses. In the former is that celebrated morceau, which the critics have pronounced a master-piece of composition. It is the soliloquy of Medusa, after the vengeance of Minerva has despoiled her of her beauty.

J'ai perdu la beauté qui me rendit si vaine;
Je n'ai plus ces cheveux si beaux,
Dont autrefois le dieu des eaux
Sentit lier son cœur d'une si douce chaîne.
Pallas, la barbare Pallas,
Fut jalouse de mes appas,
Et me rendit affreuse autant que j'étais belle.
Mais l'excès étonnant de la difformité
Dont me punit sa cruauté,
Fera connaître, en dépit d'elle,
Quel fut l'excès de ma beauté.
Je ne puis trop montrer sa vengeance cruelle:
Ma tête est fière encore d'avoir pour ornement
Des serpents dont le sifflement
Excite une frayeur mortelle.
Je porte l'épouvante et la mort en tous lieux;
Tout se change en rocher à mon aspect horrible;
Les traits que Jupiter lance du haut des cieux
N'ont rien de si terrible
Qu'un regard de mes yeux.
Les plus grands dieux du ciel, de la terre, et de l'onde,
Du soin de se venger se reposent sur moi:
Si je perds la douceur d'être l'amour du monde,
J'ai le plaisir nouveau d'en devenir l'effroi.

Proserpine is one of the best acting operas of Quinault, uniting variety of action without common-place or extravagance, which is the life and essence of this species of drama. The style of the versification, moreover, is throughout dignified and sustained. We give as a specimen the opening passage, so highly extolled by Voltaire.

Ces superbes géans armés contre les dieux
 Ne nous donne plus d'épouvante :
 Ils sont ensevelis sous la masse pesante
 Des monts qu'ils entassaient pour attaquer les cieus.
 J'ai vu tomber leur chef audacieux
 Sous une montagne brûlante :
 Jupiter l'a contraint de vomir à nos yeux
 Les restes enflammés de sa rage mouvante :
 Jupiter est victorieux,
 Et tout cède à l'effort de sa main foudroyante.

We shall make our next extracts from the opera of Atys, which, in the judgment of the famous Madame de Maintenon, no mean critic, was the best of all his productions. To that opinion, however, we do not subscribe, for the Armide is undoubtedly the chef-d'œuvre of Quinault. Yet nothing can be more skilfully developed than the passion of love in the opera of Atys, and the dénouement is awfully tragic : indeed, it was too harrowing to the feelings of the audience as originally composed, and the author was compelled to remodel the closing scene. We give, as a specimen of this lyrical drama, the beautiful dialogue between Sangaride and Atys, as exhibiting the happy tact with which Quinault has evolved the hopes and fears of love.

Atys.

Sangaride, ce jour est un grand jour pour vous.

Sangaride.

Nous ordonnons tous deux la fête de Cybèle ;
 L'honneur est égal entre nous.

Atys.

Ce jour même, un grand roi doit être votre époux :
 Je ne vous vis jamais si contente et si belle :
 Que le sort du roi sera doux !

Sangaride.

L'indifférent Atys n'en sera point jaloux !

Atys.

Vivez tous deux contents, c'est ma plus chère envie.
 J'ai pressé votre hymen, j'ai servi vos amours,
 Mais enfin ce grand jour, le plus beau de vos jours,
 Sera le dernier de ma vie.

Sangaride.

O dieux !

Atys.

Ce n'est qu'à vous que je veux révéler
 Le secret désespoir où mon malheur me livre.
 Je n'ai que trop su feindre ; il est temps de parler :
 Qui n'a plus qu'un moment à vivre
 N'a plus rien à dissimuler.

Sangaride.

Je frémis ; ma crainte est extrême.

Atys, par quel malheur faut-il vous voir périr ?

*Atys.*Vous me condamnerez vous-même,
Et vous me laisserez mourir.*Sangaride.*

J'armerai, s'il le faut, tout le pouvoir suprême.

*Atys.*Non, rien ne peut me secourir.
Je meurs d'amour pour vous : je n'en saurais guérir.*Sangaride.*

Qui ! vous !

Atys.

Il est trop vrai.

Sangaride.

Vous m'aimez.

Atys.

Je vous aime.

Vous me condamnerez vous-même,

Et vous me laisserez mourir.

J'ai mérité qu'on me punisse :

J'offense un rival généreux

Qui par mille bienfaits a prévenu mes vœux.

Mais je l'offense en vain : vous lui rendez justice.

Ah ! que c'est un cruel supplice

D'avouer qu'un rival est digne d'être heureux !

Prononcez mon arrêt ; parlez sans vous contraindre.

Sangaride.

Hélas !

Atys.

Vous soupirez ! je vois couler vos larmes !

D'un malheureux amour plaignez-vous les douleurs ?

Sangaride.

Atys, que vous seriez à plaindre

Si vous saviez tous vos malheurs !

Atys.

Si je vous perds, et si je meurs,

Que puis-je encore avoir à craindre ?

Sangaride.

C'est peu de perdre en moi ce qui vous a charmé :

Vous me perdez, Atys, et vous êtes aimé.

Atys.

Aimé ! qu'entends-je, ô ciel ! quel aveu favorable !

Sangaride.

Vous ne serez plus misérable.

Atys.

Mon malheur en est plus affreux ;

Le bonheur que je perds doit redoubler ma rage.

Mais n'importe, aimez-moi, s'il se peut, davantage,

Quand j'en devrais mourir cent fois plus malheureux.

The whole of this dialogue is essentially dramatic, the reader being kept in a state of constant excitement from the commencement to the close. We pity the grief of Atys, and yet admire his nobleness of mind in endeavouring to smother any feeling of jealousy or hatred against his generous rival, who was worthy of the affections of his mistress. Equally do we appreciate the delicacy and modesty of Sangaride, who restrains, as long as possible, the avowal of a mutual passion until the intensity of her emotions reveals the fatal secret. It was a fine stroke of dramatic art to make her declaration of all that Atys desired in one sense, the very climax of his misery in another sense. Atys was thus rendered at once the happiest and the most miserable of men, for he knew the jealousy and dreaded the vengeance of Cybèle, as soon as she became acquainted with his faithlessness towards herself. The terrible moment at last arrived, when the slighted and indignant goddess ascertained the infidelity of the Phrygian shepherd. She first deprived him of his reason: then incited him, when mad, to murder Sangaride, and afterwards restores him to his senses, that he may feel the full extent of his wretchedness. She expresses her cruel sentence in the two following beautiful lines:

Achève ma vengeance, Atys: connais ton crime;
Et reprends ta raison pour sentir ton malheur.

This dreadful conclusion, it must be confessed, would be more in keeping with tragedy than with opera. Moreover, the excessive barbarity of Cybèle does not accord with the character of a divinity, whom the ancients called, *par excellence*, *the good goddess*. The ferocity of her vengeance would have better suited one of the furies, or one of the infernal deities, or even the spiteful, petulant, and merciless Juno. Cybèle, however, repents, and changes Atys into a pine-tree. Quinault put on the stage very many of the metamorphoses of Ovid, but the improved taste of the public has, since his days, revolted against the tricks of the scene-shifters. He is now restored to life and reason by the agency of Cupid.

Quinault, in his three last works, *Amadis*, *Roland*, and *Armide*, passed from the ancient fables of Greece to the Spanish romances and the heroic poems of modern Italy. He made use of Ariosto and Tasso, as he had formerly borrowed the materials of his operas from Ovid, but he never attempted to dramatize any historical subject. Our author seems to have considered the opera as the country of fictions, and as an exhibition too light and trifling to introduce on the scene either authentic narrative or the exploits of real chiefs or heroes.

Voltaire enthusiastically admired the fourth act of *Roland*: he pronounced it one of the most successful efforts of dramatic talent; and who shall presume to differ from so high an authority? Nothing indeed can be more in the true spirit of theatrical representation than the scene

in which Roland, full of hope, love, and confidence, approaches the rendezvous appointed by Angelica, and discovers at each step the treachery of his mistress. The gaiety and merriment of the peasants, who have met to celebrate the loves of Angelica and Medor, lacerate the heart of the unfortunate and deceived hero, and form a striking contrast with the dark fury and burning vengeance of his soul. The soliloquy of Roland, before he sets out to meet his mistress, may rank among the most melodious effusions of the lyric muse.

Ah ! j'attendrai long-temps : la nuit est loin encore.

Quoi ! le soleil vent-il luire toujours ?

Jaloux de mon bonheur, il prolonge son cours

Pour retarder la beauté que j'adore.

O nuit ! favorisez mes désirs amoureux :

Pressez l'astre du jour de descendre dans l'onde ;

Déployez dans les airs vos voiles ténébreux :

Je ne troublerai plus, par mes cris douloureux,

Votre tranquillité profonde.

Le charmant objet de mes vœux

N'attend que pour vous rendre heureux

Le plus fidèle amant du monde,

O nuit ! favorisez mes désirs amoureux.

Our readers cannot fail to admire the simplicity and tenderness of the two following songs by a shepherd and shepherdess :

Angélique est reine ; elle est belle :

Mais ses grandeurs ni ses appas

Ne me rendraient pas infidèle ;

Je ne quitterais pas

Ma bergère pour elle.

Quand des riches pays arrosés par la Seine,

Le charmant Medor serait roi, [moi,

Quand il pourrait quitter Angélique pour

Et me faire une grande reine,

Non, je ne voudrais pas encore

Quitter mon berger pour Medor.

We had intended to have given some specimens from the *Armide*, but, on reflection, we found it impossible to do justice to that masterly production, without greatly overstepping our limits. It would indeed require an article by itself. We cordially recommend all our young readers who wish to cultivate a correct taste, and acquire a knowledge of the higher beauties of French poetry, to study with attention the various operas of Quinault.

NARRATIVE OF THE ATTEMPT TO ASSASSINATE THE KING OF POLAND, IN 1771.

THE recent attempt of Fieschi to murder the King of the French and his sons, and the extraordinary escape of the intended victims, will form one of the most remarkable narratives in the history of crime. It has, however, its parallel in the attempt to assassinate Poniatowski, king of Poland, on the night of the 3d September, 1771, a circumstantial statement of which will be found in this article.

A Polish nobleman, named Pulaski, a general in the army of the confederates, was the person who planned the atrocious enterprize. The conspirators who carried it into execution were about forty in number, and were headed by three chiefs, named Lukawski, Strawenaki, and Kosinski. These three chiefs had been engaged and hired for that purpose by Pulaski, who, in the town of Czetschokow, in Great Poland, obliged them to swear in the most solemn manner, by placing their hands between his, either to deliver the king alive into his hands, or, in case that was impossible, to put him to death. The three chiefs chose thirty-seven persons to accompany them. They obtained admission into Warsaw, unsuspected and undiscovered, by the following stratagem. They disguised themselves as peasants come to sell hay, and artfully concealed their saddles, arms, and clothes, under the loads of hay which they brought in waggons more effectually to escape detection.

On Saturday night, the 3d of September, 1771, a few of these conspirators remained in the skirts of the town; and the others repaired to the place of rendezvous, the street of the Capuchins, where his Majesty was expected to pass about his usual hour of returning to the palace. The king had been to visit his uncle, the Prince Czartoriski, grand chancellor of Lithuania, and was on his return from thence to the palace between nine and ten o'clock. He was in a coach, accompanied by at least fifteen or sixteen attendants, besides an aide-de-camp in the carriage; scarce was he at the distance of two hundred paces from Prince Czartoriski's palace, when he was attacked by the conspirators, who commanded the coachman to stop, on pain of instant death. They fired several shots into the carriage, one of which passed through the body of a heyduc, who endeavoured to defend his master from the violence of the assassins. Almost all the other persons who preceded and accompanied his Majesty were dispersed; even the aide-de-camp abandoned him, and attempted to conceal himself by flight. Meanwhile the king had opened the door of his carriage, with the design of effecting his escape under shelter of the night, which was extremely dark. He had even alighted when the assassins seized him by the hair, exclaiming in Polish, with horrible execrations: "We have thee now, thy hour is come." One of them discharged a pistol at him so very near, that he felt the heat of the flash; while another cut him across the head with a sabre, which penetrated to the bone. They then laid hold of his Majesty by the collar, and, mounting on horseback, dragged him along the road between their horses at full gallop, for near five hundred paces, through the streets of Warsaw. All was confusion and disorder during this time at the palace, where his attendants, who had deserted their master, had spread the alarm. The foot-guards ran immediately to the spot from whence the king had been conveyed, but they found only his hat all bloody, and his bag; this increased their apprehensions for his life. The whole city was in

an uproar. The assassins profited by the universal confusion, terror and consternation, to bear away their prize. Finding, however, that he was incapable of following them on foot, and that he had already almost lost his respiration from the violence with which he had been dragged, they set him on horseback, and then redoubled their speed, for fear of being overtaken. When they came to the ditch which surrounds Warsaw, they obliged him to leap his horse over. In the attempt the horse fell twice, and at the second fall broke his leg. They then mounted his Majesty on another, all covered as he was with dirt.

The conspirators had no sooner crossed the ditch, than they began to ride the king, tearing off the black eagle of Prussia, which he wore round his neck, and the diamond cross hanging to it. It was Lukawski, one of the three chiefs of this band, who committed this outrage, in order that he might prove to Pulaski, by showing him the eagle, that the king was in their hands, and on his way. Lukawski himself gave this explanation before he was executed. The king requested the assassins to leave him his handkerchief, to which they consented; his tablets escaped their rapacity. A great number of the ruffians retired after having thus plundered him, probably with the intent of notifying to their respective leaders the success of their enterprize, and the king's arrival as a prisoner. Only seven remained with him, of whom Kosinski was the chief. The night was exceedingly dark; they were in absolute ignorance of the road; and, as the horses could not keep their legs, they obliged his Majesty to follow them on foot, with only one shoe, the other being lost in the dirt.

They continued to wander through the open meadows, without following any certain path, and without getting to any distance from Warsaw. They again mounted the king on horseback, two of them holding him on each side by the hand, and a third leading his horse by the bridle. In this manner they were proceeding, when his Majesty, finding they had taken a road which led to a village called Burakow, warned them not to enter it, because there were some Russians stationed in that place, who might propably attempt to rescue him. This intimation, which the king gave to his assassins, may at first sight appear extraordinary and unaccountable, but was really dictated by the greatest address and judgment. He apprehended with reason, that, on the sight of a Russian guard, they would instantly put him to death with their sabres, and fly; whereas by informing them of the danger they incurred, he, in some measure, gained their confidence; in effect, this behaviour of the king seemed to soften them a little, and made them believe that he would not attempt to escape from them.

Finding himself incapable of accompanying these ruffians in the painful posture in which they kept him down on the saddle, he requested them, since they were determined to oblige him to proceed, at least to give him another horse and another boot. This request they complied with; and

continuing their progress through almost impassable lands, without any road, and ignorant of their way, they at length found themselves in the wood of Bielany, only one league distant from Warsaw. From the time they had passed the ditch, they repeatedly demanded of Kosinski, their chief, if it was not yet time to put the king to death; and these demands were reiterated in proportion to the obstacles and difficulties they encountered. The king, in his speech to the Diet on the trial of the conspirators, interceded strongly for Kosinski, or John Kutsma, to whom he gratefully expressed himself in the following words. "As I was in the hands of the assassins, I heard them repeatedly ask John Kutsma, if they should not assassinate me, but he always prevented them. He was the first who persuaded them to behave towards me with greater gentleness; and obliged them to confer on me some services which I then greatly wanted; namely, one to give me a cap, and another a boot, which at that time were no trifling presents; for the cold air greatly affected the wound in my head; and my foot, which was covered with blood, gave me inexorable torture, which continued every moment encreasing."

Meanwhile the confusion and consternation increased at Warsaw. The guards were afraid to pursue the conspirators, lest terror of being overtaken should prompt them in the darkness to massacre the king; and, on the other hand, by not pursuing they might give them time to escape with their prize, beyond the possibility of assistance. Several of the first nobility at length mounted on horseback, and following the track of the assassins, arrived at the place where his Majesty had crossed the ditch. There they found his pelisse, which he had lost in the precipitation with which he was hurried away: it was bloody, and pierced with holes made by the balls and sabres. This convinced them that he was no more.

We left the king still in the hands of the seven remaining assassins, who advanced with him into the wood of Bielany, when they were suddenly alarmed by a Russian patrol or detachment. Instantly holding council, four of them disappeared, leaving him with the other three, who compelled him to walk on. Scarce a quarter of an hour afterwards, a Russian guard challenged them anew. Two of the assassins then fled, and the king remained alone with Kosinski the chief, both on foot. His Majesty, exhausted by the fatigue which he had undergone, implored his conductor to stop, and suffer him to take a moment's repose. Kosinski refused, menacing him with his naked sabre; and, at the same time, informed him, that beyond the wood they would find a carriage. They continued their walk till they came to the door of the convent of Bielany. Kosinski appeared lost in thought, and so much agitated by his reflections, that the king, perceiving the disorder of his mind, and observing that he wandered without knowing the road, said to him "I see you are at a loss which way to proceed. Let me enter the convent of Bielany, and do you

provide for your own safety." "No," replied Kosinski, "I have sworn, and will keep my oath."

They proceeded till they came to Mariemont, a small palace belonging to the house of Saxony, not above half a league from Warsaw: here Kosinski manifested some satisfaction at finding where he was: and the king, still demanding some repose, his conductor at length consented. They sat down together on the ground, and his Majesty employed those moments in endeavouring to soften Kosinski, and induce him to favour or permit his escape. He represented the atrocity of the crime he had committed, in attempting to murder his sovereign, and the invalidity of an oath taken to perpetrate so heinous an action. Kosinski lent attention to this discourse, and began to betray some symptoms of repentance. "But," said he "if I should consent, and reconduct you to Warsaw, what will be the consequence? I shall be taken and executed."

This reflection plunged him into fresh uncertainty and embarrassment. "I pledge you my word," said his Majesty, "that you shall suffer no harm; but if you doubt my promise, escape while there is yet time. I can find my way to some place of security; and I will certainly direct your pursuers to take the contrary road to that which you have chosen." Kosinski could no longer contain himself, but, throwing himself at the king's feet, implored forgiveness for the crime he had committed; and swore to protect him against every enemy, relying totally on his generosity for pardon and preservation. His Majesty reiterated his assurances of safety. Judging, however, that it was prudent to gain some asylum without delay, and recollecting that there was a mill at some considerable distance, he immediately made towards it. Kosinski knocked, but in vain; no answer was given; he then broke a pane of glass in the window, and entreated shelter for a nobleman who had been plundered by robbers. The miller refused, supposing them to be the leaders of a banditti, and continued for more than half an hour to persist in his refusal. At length the king approached, and speaking through the broken pane, endeavoured to persuade him to admit them under his roof, remarking, "If we were robbers, as you suppose, it would be very easy for us to break the whole window, instead of a single pane of glass." This argument prevailed. They at length opened the door, and admitted his Majesty. He immediately wrote a note to General Coccei, colonel of the foot guards. It was literally as follows: "*Par une espèce de miracle, je suis sauvé des mains des assassins. Je suis ici au petit moulin de Mariemont. Venez au plutôt me tirer d'ici. Je suis blessé mais pas fort.*" "By a kind of miracle, I am escaped from the hands of assassins. I am now at the mill of Mariemont. Come as soon as possible, and take me from hence. I am wounded but not dangerously."—It was with the greatest difficulty, however, that the king could persuade any one to carry this note to Warsaw, as the people of the mill, imagining that he was a nobleman

who had just been plundered by robbers, were afraid of falling in with the troop. Kosinski then offered to restore every thing he had taken ; but his Majesty left him all, except the blue ribbon of the White Eagle.

When the messenger arrived with the note, the astonishment and joy were incredible. Coccei instantly rode to the mill, followed by a detachment of the guards. He met Kosinski at the door, with his sabre drawn, who admitted him as soon as he knew him. The king had sunk into a sleep, caused by his fatigue, and was stretched on the ground covered with the miller's cloak. Coccei immediately threw himself at his Majesty's feet, calling him his sovereign, and kissing his hand. It would not be easy to paint or describe the astonishment of the miller and his family, who instantly imitated Coccei's example, by throwing themselves on their knees. The king returned to Warsaw in General Coccei's carriage, and reached the palace about five in the morning. His wound was found not to be dangerous ; and he soon recovered the bruises and injuries he had suffered during this memorable night.

So extraordinary an escape is scarcely to be paralleled in history, and affords ample matter of wonder and surprise. Certainly, neither the escape of Louis the Fifteenth from Damiens, nor that of the king of Portugal from the conspiracy of the Duke d'Aveiro, nor even that of Louis Philippe from Fieschi, are more amazing or improbable than that of the king of Poland. Indeed the people of Warsaw scarcely credited the evidence of their senses when they saw him return.

It is natural to enquire what became of Kosinski and the other conspirators. Kosinski was born in the palatinate of Cracow, and was of mean extraction. His real name was John Kutsma, but he assumed that of Kosinski, a noble Polish family, to give himself more credit. He had been created an officer in the troops of the confederates under Pulawski. It would seem as if Kosinski began to entertain the idea of preserving the king's life from the time when Lukawski and Strawenski abandoned him ; yet he had great struggles with himself before he could resolve on this conduct, after the solemn engagement into which he had entered. Even after he had conducted the king back to Warsaw, he expressed more than once his doubts of the propriety of what he had done, and some remorse at having deceived his employers.

Lukawski and Strawenski were both taken, and several of the other assassins. At his Majesty's peculiar request and entreaty, the Diet remitted the capital punishment of the inferior conspirators, and condemned them to work for life on the fortifications of Kaminiac. By his intercession likewise with the Diet, the horrible punishment and various modes of torture, which the laws of Poland decree and inflict on regicides were mitigated ; and both Lukawski and Strawenski were only simply beheaded. Kosinski was detained under a very strict confinement, and obliged to give evidence against his companions. Nothing could be more

noble and manly than the whole of Lukawski's conduct previously to his death. When he was carried to the place of execution, although his body was almost extenuated by the severity of his confinement, diet, and treatment, his spirit, unsubdued, raised him above the terrors of an infamous and public execution. He had not been permitted to shave his beard while in prison, and his dress was squalid to the greatest degree; yet none of these humiliations depressed his mind. With a grandeur of soul worthy of a better cause, but which it was impossible not to admire, he refused to see or embrace the traitor Kosinski. When conducted to the scene of execution, which was about a mile from Warsaw, he betrayed no emotion of terror or unmanly fear. He made a short harangue to the multitude assembled on the occasion, in which he by no means expressed any sorrow for his past conduct, or contrition for his attempt on the king, which he probably regarded as meritorious and patriotic. His head was severed from his body.

Strawenski was beheaded at the same time, but he neither harangued the people, nor shewed any signs of contrition. Pulaski, who commanded one of the many corps of confederated Poles then in arms, and who was the great agent and promoter of the assassination, escaped from Poland, and repaired to America. He distinguished himself in the service of the Americans, and was killed in the attempt to force the British lines at the siege of Savannah, in 1779. His bitter enemies, the Russians, paid homage to his military talents, nor were they ever able to take him prisoner during the civil war.

To return to Kosinski, the man who spared the king's life. About a week after the execution of Lukawski and Strawenski, he was sent by his majesty out of Poland. He settled himself at Semigallia in the papal territories, where he enjoyed an annual pension from the king. The miller of Mariemont was not forgotten. His majesty rewarded him to the extent of his wishes, by building him a capacious mill on the Vistula, and allowing him a small pension.

A circumstance almost incredible, and which seems to breathe all the sanguinary bigotry of the sixteenth century, cannot be omitted. It is that the papal nuncio in Poland, inspired with a furious zeal against the dissidents, whom he believed to be protected by the king, not only approved the scheme for assassinating his majesty, but blessed the weapons of the conspirators at Czetschokow, previously to their setting out on their expedition. This is a fact indisputably true, and scarcely to be exceeded by any thing under the reign of Charles the Ninth, of France, or of his mother Catharine of Medicis.

ANECDOTES OF THE GREYHOUND.

THE greyhound is of a beautiful and delicate formation for speed and majestic attraction ; if a metaphorical allusion may be made between the human and the brute creation, the allegory would not be too far extended in considering the greyhound, from his appearance, equanimity, mildness, and affability, one of the superior classes of his own society ; he possesses all the dignity, without the degradation, of any part of his species, and is never seen without a predilection in his favour. They have been for many centuries in the highest estimation in England, and in the time of king John, greyhounds were accepted by him as payment, in lieu of money, for the renewal of grants, and the liquidation of fines and forfeitures due to the crown. One fine paid to this monarch upon record, A. D. 1203, specifies "five hundred marks, ten horses, and ten leashes of greyhounds." Another, in seven years after, specifies "one swift running horse and six greyhounds."

The mild, affable, and serene aspect of the greyhound, in its domestic state, constitutes no drawback on its native sagacity, or grateful attention to its protector, of which the unfortunate king Charles the First was so truly observant, that the remark he made during his troubles is upon record, and strictly just, as applicable to the instinctive fidelity of the animal, as well as its satirical effects on the herd of sycophants who surrounded him. In the course of a familiar conversation, respecting the canine species in general, a doubt was started, what particular kind of a dog was entitled to pre-eminence, when it was universally admitted to rest between the spaniel and the greyhound : to which the monarch gave a polished finish, in favour of the latter, by saying it possessed all the good-nature and solicitous affability of the spaniel, without the fawning.

It is in the healthful exercise of coursing that the qualities of the greyhound are seen to most advantage. We propose to give some account of this truly English sport, and enumerate a few of the feats performed by the most celebrated dogs. The celebrated Lord Orford was the father of modern coursing, and his example was warmly imitated by Colonel Thornton and Major Topham, who, with some very trifling shades of exception, were for many years in sole possession of the most distinguished breed of greyhounds in the kingdom. Czarina, Jupiter, Claret, Snowball, Miller, Schoolboy, and Major, have all been of highest celebrity and are entitled to individual description.

Czarina was bred by Lord Orford, and purchased, at the sale after his lordship's decease, by Colonel Thornton, with an intent to cross and improve the breed at Thornville Royal, in the full success of which he was most amply gratified. In the character of this bitch, there were two remarkable traits : she won forty-seven matches, without ever being beat,

and showed no signs of producing progeny till she had completed her thirteenth year, when she brought forth four whelps by Jupiter, all of whom lived, and were excellent runners. She was the dam of Claret and young Czarina, both of whom challenged all Yorkshire, and won their matches.

Snowball and Major were own brothers, which proved superior to any breed in the imperial dominions. They were got by Claret out of a favorite bitch of Major Topham's; and a brace of whelps, of which the celebrated Major was one, were sent to Colonel Thornton, as a sporting recompense for the use of his dog. Snowball was considered, when taken all in all, to have been the most perfect greyhound ever produced. He won four cups, couples, and upwards of thirty matches, at Malton, and upon the Wolds in Yorkshire, and so beat a dog of Mr. Plummer's, that the animal died immediately the course was concluded. Snowball was never equally faced in the field but by his own blood; having in exercise and private trial always appeared some shades inferior to his brother Major, and his aunt yellow Czarina. In the November Malton coursing meeting, 1799, a Scotch greyhound was produced, which had beaten every competitor in Scotland, was brought to England, and challenged any dog in the kingdom; the challenge was accepted for Snowball, when, after a course of more than two miles, the match was decided in his favour.

In the year 1792, Schoolboy, the property of Mr. Thomas Clerk, usually called Vauxhall Clerk, was a greyhound of much sporting celebrity at Newmarket, and in its vicinity. He was bred by Sir Charles Bunbury, and got by Dr. Frampton's Fop, out of Sir Charles's Miss. He ran a great number of matches over Newmarket, upon which very large sums were frequently depending, and was never beaten. He was the sire of Troy, Traveller, Lily, and others, very good runners, many of whom were sold for twenty guineas each.

That highly celebrated dog, called the Miller, bred by the Rev. J. C. B. Dudley, had little to boast of on the score of pedigree, having, by personal merit, run himself into popularity. During the first nine months he was so exceedingly awkward, heavy, clumsy, and unpromising, that no thoughts were entertained of bringing him into the field: the book of fate, however, seems to have contained predictive pages in his favour; various vicissitudes are observed in the human as well as in the animal creation;—many a substantial city subordinate (originally from the tail of the plough) has become the chief magistrate of the first commercial city of the world. But we are moralizing.

The Miller, upon a sporting emergency, (when only twelve months old,) was borrowed of the owner by a friend, who, going to the marshes in St. Osyth, did not like to appear without having a sporting-like appendage in his retinue; alike unknowing and unknown, he was

introduced to the honours of the day, winning several matches against the best dogs in the field. Returning with this sudden and unexpected blaze of reputation, considered worthy of confidence, appointed to a place in the administration, and admitted into the cabinet council of the canine department, he was received into universal favour among the leaders of sporting. Having thus raised himself from the recesses of obscurity to a high degree of eminence, and literally run himself into reputation, he became occasionally introduced to the most powerful and popular opponents; among whom, however, he continued to maintain his superiority over every dog brought against him; winning, during that time, seventy-four successive matches, without having been once beaten.

The energetic velocity of the greyhound in pursuit of game, has always been a matter of admiration to the lovers of the sport; but more particularly to the meditative amateurs, when prompted by reflection to form comparisons. Various have been the opinions upon the difference of speed between a well-bred greyhound and a blood horse of some celebrity, if opposed to each other for a mile, or for any greater or shorter distance. It has by the best and most experienced judges been thought that, upon a dead flat level, a horse of this description would prove superior to a greyhound; but that in a hilly country, the greyhound would have an evident advantage. Wishes had frequently been indulged by different members of the sporting world, that some criterion could be adopted, by which the certainty of superiority in speed could be fairly ascertained; when, after a variety of suggestions, the following circumstance accidentally took place, affording some rays of information upon what was previously considered a matter of the greatest uncertainty.

In the month of December, 1800, a match was to have been run over Doncaster course, for one hundred guineas, but one of the horses having been drawn, a mare started alone, that by running the ground she might ensure the wager; when having run about one mile of the four, she was accompanied by a greyhound bitch, which joined her from the side of the course, and emulatively entering into competition, continued to race with the mare, the other three miles, keeping nearly head and head, affording an excellent treat to the field, by the energetic exertions of each. At passing the distance, five to four was betted in favour of the greyhound: when parallel with the stand, it was even betting; the mare, however, had the advantage by a head at the termination.

In this article we have mentioned Lord Orford, as the father of modern coursing. In consequence of his very extensive property, and his influence as lord-lieutenant of the county of Norfolk, he not only interested many opulent neighbours in the diversion, but, from the extent of his connections, could command such an immensity of private quarters for his greyhounds, with the advantage of making such occasional selections, that few men, besides himself, could possess. There were times

when he was known to have fifty brace of greyhounds ; and, as it was a fixed rule never to part with a single whelp till he had a fair and substantial trial of his speed, he had evident chances (beyond almost any other individual) of having, among so great a number, a collection of very superior dogs ; but, so intent was his lordship upon this peculiar object of attainment, that he went still further in every possible direction to obtain perfection, and introduced every experimental cross from the English lurcher to the Italian greyhounds. He had strongly indulged an idea of a successful cross with the bull-dog, which he could never be divested of, and after having persevered (in opposition to every opinion) most patiently seven removes, he found himself in possession of the best greyhounds ever yet known ; giving the small ear, the rat tail, and the skin almost without hair, together with that innate courage which the high-bred greyhound should possess, retaining which, instinctively, he would rather die than relinquish the chase.

One defect only this cross is admitted to have, which the poacher would rather know to be a truth, than the fair sportsman would come willingly forward to demonstrate. To the former it is a fact pretty well known, that no dog has the sense of smelling in a more exquisite degree than the bull-dog ; and, as they run mute, under certain crosses, best answer the midnight purposes of the poacher in driving hares into the wire or net. Greyhounds bred from this cross have, therefore, some tendency to run by the nose, which, if not immediately checked by the master, they will continue for many miles, and become very destructive to the game in the neighbourhood where they are kept, if not under confinement or restraint.

Among the eccentric experiments of Lord Orford, was a determination to drive four red deer (stags) in a phaëton, instead of horses, and these he had reduced to perfect discipline for his excursions and short journeys upon the road : but, unfortunately, as he was one day driving to Newmarket, their ears were accidentally saluted with the cry of a pack of hounds, which soon after crossing the road in the rear, immediately caught scent of "four in hand," and commenced a new kind of chase with "breast high" alacrity. The novelty of this scene was rich beyond description ; in vain did his lordship exhibit all his charioteering skill—in vain did his well-trained grooms energetically endeavour to ride before them ; reins, trammels, and the weight of the carriage were of no effect ; off they went, with the celerity of a whirlwind, and this modern phaëton, in the midst of his electrical vibrations of fear, bid fair to experience the fate of his name-sake. Luckily, however, his lordship had been accustomed to drive this hudibrastic set of fiery-eyed steeds to the Ram Inn, at Newmarket, which was most happily at hand, and to this refuge his lordship's fervent prayers and ejaculations had been ardently directed ; into the yard they suddenly bounded, to the dismay of ostlers and stable-

boys, who seemed to have lost all their faculties on the occasion. Here they were luckily overpowered, and the stags, the phaeton, and his lordship, were all instantaneously huddled together in a large barn just as the hounds appeared in full cry at the gate.

This singular circumstance, although most luckily attended with no accident, effectually cured his lordship's passion for deer-driving; but his invincible zeal for coursing, and his undiminished rage for its improvement, remained with him to the last. No day was too long, or any weather too severe for him; those who have ever seen him, can never forget the extreme and laughable singularity of his appearance. Mounted on a stump of a pye-balled pony, as uniformly broad as he was long, in a full suit of black, without either great coat or gloves; his hands and face crimsoned with cold, and in a fierce cocked hat, facing every wind that blew; and while his gamekeepers were shrinking from the sand-gathering blasts of Norfolk, on he rode, like old Lear, regardless of the elements.

In the latter period of his life, Lord Orford was afflicted with temporary fits of insanity, and it became necessary to place him under confinement. He contrived, however, by some plausible pretext, to get his keeper out of his room, when he instantly jumped out of the window, ran to the stables, and saddled his pye-balled pony, at the very time he well knew that the grooms and stable boys were all engaged. On that day his favourite bitch, old Czarina, was to run a match of some magnitude; the gamekeepers had already taken her to the field, where a large party were assembled, equally lamenting the absence of his lordship, and the cause by which his presence was prevented; when at the very moment of mutual regret and condolence, who should appear at full speed, on the pye-balled pony, but Lord Orford himself;

His presence all bosoms appeared to dismay,
His friends stood in silence and fear,

But none had power to restrain him; all attempts and entreaties were in vain; the match he was determined to see; and no persuasions whatever could influence him to the contrary. Finding no endeavours could divert him from the ecstatic expectations he had formed, the greyhounds were started, and Czarina won; during the course, no human power or exertion could prevent him from riding after the dogs, more particularly as his favourite bitch displayed her superiority at every stroke; when, in the moment of the highest exultation, and the eagerness of his triumph, unfortunately falling from his pony, he almost instantly expired, to the inexpressible grief of those who surrounded him at the last moment of his life.

A man of more simple manners, more liberal sentiments, or a more courteous nature, never was known to constitute a part of benevolent and philanthropic society. All the urbanities of life were his, and he

seemed, by nature, formed to attract the most grateful attention. Generally acquainted as he was, from his rank, as well as his sporting pursuits, with every condition of persons, from the prince to the peasant, his conversation was happily suited to each, and equally winning with them all. The hospitality of his princely residence, Houghton Hall, was noble, yet plain; elegant, but not ostentatious. The park was curiously stocked with every original, in beast or fowl of almost every country, from the African bull to the pelican of the wilderness. After Lord Orford's death, this scene of sporting attraction lost all its charms, and his greyhounds and all the appurtenances of the kennel and stable, came under the hammer of the auctioneer.

ON THE ORIGIN OF NAVIGATION.

SEVERAL conjectures present themselves concerning the origin of navigation. Various accidents and events might have given birth to that art. The sea coasts in many places are full of islands, at no great distance from the continent. Curiosity would naturally inspire men with an inclination to pass over into these islands. As this passage would not appear either very long or very dangerous, they would attempt it. Success in one of these attempts would encourage to a second. Pliny relates, that anciently they sailed only among islands, and that on rafts.

Fishing, to which several nations applied themselves in the earliest ages, might also contribute to the origin of navigation. I am, however, most inclined to think, that the first ideas of this art were owing to those nations which were seated near the mouths of rivers, where they fell into the sea. As they sailed upon these rivers, they would sometimes be carried out to sea, either by the current, by a storm, or even by design. They would be terrified at first at the violence of the waves, and the dangers with which they threatened them. But when they had got over these first terrors, they would soon be sensible of the great advantages which the sea might procure them, and, of consequence, would endeavour to find out the means of sailing upon it.

In whatever way mankind became familiar with that terrible element, it is certain that the first essays in navigation were made in the most ancient times. Moses informs us, that the grandsons of Japhet passed over into the islands near the continent, and took possession of them. It is also an undoubted fact, that colonies very soon sailed from Egypt into Greece. Sanchoniathon ascribes the invention of the art of building ships, and the glory of undertaking sea voyages, to the Caberites. The ancient traditions of the Phœnicians make the Caberites contemporary with the Titans.

Experience convincing them that ships designed for navigating the seas ought to be of a different construction from those intended for

rivers, they would make it their study to give such a form and solidity to ships designed for sea, as would enable them to resist the impetuosity of its waves. They would next endeavour to find out a method of guiding and directing them with ease and safety. Sculls and oars were the only instruments that occurred to them for some time. It must have been long before they thought of adding the helm. The ancients imagined, that it was the fins of fishes that first suggested the idea of oars, and that the hint of the helm was taken from observing how birds direct their flight by their tails. The shape of ships, excepting the sails, seems to me to be copied from that of fishes. What the fins and tails are to fishes, that the oars and helm are to ships. But these are only conjectures more or less probable, and not worth examining to the bottom.

The action of the wind, whose effects are so sensible and so frequent, might soon suggest the use of sails. But the manner of adjusting and managing them was more difficult, and would not be so soon discovered. This, I am persuaded, was the very last part of the constitution of ships which was found out. I am confirmed in this opinion by the practice of the savages and other rude nations, who make use only of oars, but have no sails. It would be the same in the first ages. The first navigators only coasted, and cautiously avoided losing sight of land. In such circumstances, sails would have been more dangerous than useful. It required the experience of several ages to teach navigators the art of employing the wind in the direction of ships.

If we believe, however, the ancient traditions of the Egyptians, this art of using the wind by means of masts and sails was exceeding ancient. They gave the honour of this discovery to Isis. But over and above the little credit which is due to the greatest part of the history of that princess, we shall see, by and bye, that this discovery cannot be ascribed to the Egyptians.

Men must soon have endeavoured to find out some method of stopping ships at sea, and keeping them firm at their moorings. They would at first make use of various expedients for this purpose, such as large stones, hampers or sacks full of sand, or other heavy bodies. These they fixed to ropes, and threw into the sea. These methods would be sufficient in the first ages, when the vessels they used were only small and light barks. But as navigation improved, and larger ships were built, some other machine became necessary. We know not at what time, or by whom, the anchor, that machine at once so safe and so admirable, was invented. We find nothing certain on this subject in ancient authors. Only they agree in placing this discovery in ages greatly posterior to those we are now examining. They ascribe this invention to several different persons. I imagine the anchor, like several other machines, might be found out in many different countries much about the same time. It is certain that the first anchors were not made of iron, but of stone, or even of wood.

These last were loaded with lead. We are told this by several writers, and amongst others by Diodorus. This author relates that the Phœnicians, in their first voyages to Spain, having amassed more silver than their ships could contain, took the lead from their anchors, and put silver in its place. We may observe further, that the first anchors had only one flook. It was not till many ages after that Anacharsis invented one with two.

All these different kinds of anchors are still in use in some countries. The inhabitants of Iceland, and of Bander-Congo, use a large stone, with a hole in the middle, and a stick thrust through it. In China, Japan, Siam, and the Manillas, they have only wooden anchors, to which they tie great stones. In the kingdom of Calicut they are of stone. The ignorance of the first ages, and of many nations to this day, of the art of working iron, has been the occasion of all these rude and clumsy contrivances.

Though the first navigators coasted along the shores, and took all possible pains not to lose sight of land, yet, in the very first ages, they must frequently have been driven off to sea by storms. The confusion and uncertainty they found themselves in when these accidents happened, would put them upon studying some method of finding where they were in these circumstances. They would soon be sensible that the inspection of the heavenly bodies was the only thing that could afford them any direction. It was in this manner, probably, that astronomy came to be applied to navigation.

From the first moment men began to observe the motion of the heavenly bodies, they would take notice that in that part of the heavens where the sun never passes, there are certain stars which appear constantly every night. It was easy to discover the position of these stars in respect of our earth. They appear always on the left hand of the observer, whose face is turned to the east. Navigators were soon sensible that this discovery might be of great advantage to them, as these stars constantly pointed to the same part of the world. When they happened to be driven from their course, they found that, in order to recover it, they had only to direct their ships in such a manner as to bring her into her former position, with respect to those stars which they saw regularly every night.

Antiquity gives the honour of this discovery to the Phœnicians, a people equally industrious and enterprising. The Great Bear would probably be the first guide which these ancient navigators made choice of. This constellation is easily distinguished, both by the brightness and peculiar arrangement of the stars which compose it. Being near the Pole, it hardly ever sets, with respect to those places which the Phœnicians frequented. We know not in what age navigators first began to observe the northern stars for the direction of their course, but it must have been in very ancient times. The Great Bear is mentioned in the

book of Job, who seems to have conversed much with merchants and navigators. The name by which that constellation was known among the ancient inhabitants of Greece, and the tales which they related about its origin, prove that it was observed for the direction of navigators in very remote ages.

But the observation of the stars in the Great Bear was a very imperfect and uncertain rule for the direction of a ship's course. The truth is, this constellation points to the Pole only in a very vague and confused manner. Its head is not sufficiently near it, and its extremities are more than forty degrees distant from it. This vast extent occasions very different effects, both at different hours of the night in the same season of the year, and in the same hour in different seasons. This variation would be considerably increased, when it came to be referred to the horizon, to which the course of navigators must necessarily be referred. They must have made an allowance for this variation by guess, which could not but occasion great mistakes and errors in those ages, when they were guided only by practice instead of geometrical rules and tables, which were not invented till many ages after. It must have been long before navigation arrived at any tolerable degree of perfection. There is no art or profession which requires so much thought and knowledge. The art of sailing is of all others the most complicated; its most common operation depends upon various branches in different sciences. It appears, however, that, even in the ages we are now examining, some nations had made some progress in maritime affairs. These discoveries can be ascribed to nothing but that love to commerce with which those nations were animated, and their great ardour for the advancement of it.

ELEGY IN A SCHOOL-ROOM, DURING THE VACATION.

TRAVESTY.

Ye Sarnian muses, in a strain less grave
Now let us sing! of kite, and hoop, and ball,
Of school-boy pranks, a blithesome lay we crave;—
For church-yards, tombs, and death, delight not all.

Sicelides Musæ paulo majora canamus.—VIRGIL.

THE master's voice proclaims the holidays,
The clamorous swarms rejoice that they are free,
And blithely homeward skip their various ways,
Leaving the school to silence and to me.

Now fade their motley figures on the sight,
And all around a solemn stillness reigns,
Save where some stragglers form a ring to fight,
Then hail the hero who the victory gains.

Elegy in a School-Room.

Save that, loud blubbing at the school's closed door,
 The vanquished urchin doth to me complain
 Of him, who, when the direful strife was o'er,
 Had left him bleeding on the embattled plain.

Within yon desk, yon store-house for the mind,
 The shades of murdered classics find repose,
 And there for one swift-gliding month confined,
 The cane and birch forbear their torturing blows.

The loitering youth, who crawls to school too late—
 The truant entering slow with pallid face—
 The chattering urchin's din—the witless pate,
 Will now not rouse them from their resting place.

The sumless slate, the book with blots replete,
 The tittering echo, and the whispered jest;
 The verses halting on most wretched feet,
 Will now not draw them from their happy rest.

Oft did the idler to their influence yield;
 Their furrows oft the stubborn will have broke;
 How rare could tears their suppliant victims shield;
 How bawled the culprit 'neath their sturdy stroke!

Let not ambition mock the useful toil,
 The griefs and joys (?) attendant on a school,
 Nor grandeur hear his lay with scornful smile,
 Who is the master's and the scholar's tool.

Manhood brings hopes and joys which soon decay,
 Life's prime brings vigour which is sapped by care;
 Age, tottering, crumbles to its native clay—
 The school-boy's days alone are blithe and fair.

Nor you, ye proud, impute to them the blame,
 If their deeds fail the voice of fame to raise,—
 Their skill all in their little world proclaim,
 At school, at home, they find their meed of praise.

• Could what the world calls fame give such delight
 As does to them the hard-earned trifling "Prize?"
 Or could base flattery please the youthful wight
 So well as sweetmeats, mince, or apple pies?

Perhaps on yon neglected form late sat
 Some boy whom oft rude mischief did inspire,
 Who soon may wear a sword or gown, and chat
 In tongues defunct to his astounded sire.

Some village Bloomfield, whose poetic soul
 Would cobbler's wax, and *sole*, and *awl* despise;
 Some noisy Chatter-ton we here might find,
 Some Nelson striving for a bloodless prize.

But knowledge hath, as yet, not half revealed
 To them its ample page, with the vast spoils
 Of time enriched;—to hoops, kites, balls, they yield
 Their playful souls—averse to study's toils.

Full many a dolt and genius bright and keen
The school-room, like the world without, doth bear;—
Full many a wicked prank is played unseen
Whilst Dis-cords blent with Concords fill the air.

To fail their *Syn*-tax on demand to pay,
Their "*As-ses in Presenti*" to despise,
"*Quæ maribus*" *fæminea* to say,
Or bear a flogging, mute, with tearless eyes—

Their lot forbids;—nor circumscribed alone
Their growing virtues, but their crimes confined;
Forbids to hurl the master from his throne,
Or throw dirt, stones, or snow-balls at mankind.

The leader of some fatal "*spree*" to screen—
Into the usher's stool to drive a nail—
To roam about the city's haunts at e'en,
Or tie a stone to cat or poodle's tail,—

Far from the master's dreaded frown and cane,
Their youthful wishes lead them oft to stray,
To fight, or fire a squib in some lone lane,
Then, scuffling, loitering, wend to school their way.

Yet even these boys from insult to protect,
The humble, drudging usher's ever nigh,
Whose uncouth form, with threadbare raiment decked,
Draws jests and gibes from every passer-by.

His "*brief authority*," his threats, his cane,
The principal's dread presence then supply;
Yet many a "*Holy Task's*" imposed in vain
To keep the varlet crew from mischief aly.

For who, to boyish appetites a prey,
Hath passed the blackberry with thorns entwined,
Beheld the fruitful orchard on his way,
Nor cast one longing, lingering look behind?

Some bird's nest will attract their cunning eyes,
Although the cane forbearance loath inspires;—
Even at shop-windows strong temptation lies,
Where gingerbread each maw with longing fires.

For me, who, mindful of the school-boy's lot,
Do in these lines their artless tale relate,
If, led by contemplation to this spot,
Some kindred usher should inquire my fate,—

Haply some youth, whom erst I taught, may say,
Oft have we seen him at the peep of dawn,
Roused by the bell, swift meet the boys to pray,
Then brush his coat, and, being drowsy—yawn.

Then gravely seated on yon ancient stool,
(On which he often wished that he might die,)
Till evening would he tarry at the school,
Poring o'er books and slates with eager eye.

And near his desk, where—smiling, as in scorn,
 Another sits—he'd often muttering pace;
 Now solving problems till he seemed forlorn,
 Now flourishing his pen with matchless grace.

One morn we missed him on the accustomed stool,
 Beside the desk where he was wont to be;
 Another came, nor yet within the school,
 Nor at his book, or slate, or prayers, was he.

The next, encoffined, followed by a train
 Of sobbing school-boys, slow we saw him borne;
 His tomb, decked with a stone on which a cane,
 A slate, and pen are graved, is near yon thorn.

THE USHER'S EPITAPH.—(BY A FELLOW-SUFFERER.)

Here rests a wight, whose lot, whilst here on earth,
 Was hard and joyless as this lettered stone;
 For I, who shared his most unpleasant berth,
 Can tell that misery marked him for her own!

Great were his labours, but his earnings few,
 Hence of his recompense he nought could save;
 Most willingly he taught the things he knew:
 He gained from Heaven, what long he wished, this grave.

His merits many a copy-book displays,
 His frailties, like himself, are mouldering now;
 These few could blame—for those he wished no praise—
 An usher's sins are punished here below.

J. D. PIERCY.

ROMAN CLOCKS.

THE Romans were nearly four hundred and sixty years without knowing any other division of the day than morning, noon, and night. The laws of the twelve tables even mention only sun-rise and sun-set; it was not till some years afterwards that an officer of the consul's proclaimed mid-day aloud, which the Romans then distinguished, only in fine weather, and by the height of the sun.

Pliny declares, on the credit of an ancient author, that the first instrument which the Romans had to divide the hours was a sun-dial, which Lucius Papirius Cursor placed in the court of the temple of Quirinus, twelve years before the war against Pyrrhus; but he seems to doubt the truth of this relation. He weakens it himself; and to give something more certain, and better acknowledged, he says, after Varro, that it was during the first Punic war that the first dial was exposed to public view at Rome, and fixed upon a column of the tribunal of harangues. Marcus Valerius Messala brought it from Sicily after the capture of Catana, thirty years after the time of Papirius, in the year of Rome 477.

Although this dial, drawn for the latitude of Catana, which was different from that of Rome, could not show the hours justly, yet, as imperfect as it was, the Romans conformed to it for the space of ninety-nine years, till Quintus Marcus Philippus, who was censor with Paulus Æmilius, gave them another more exact. This, of all the acts of his censorship, was that which obtained him the greatest applause. These sorts of clocks were of use only in the day, and in clear weather. Scipio Nasica, five years afterwards, in the year of Rome 595, first brought into use, and passed under cover a water-clock, which shewed the hours equally by day and night. There were twelve in the day, and as many in the night, without distinction of seasons.

Vitruvius attributes the invention of water-clocks to Cresibius, a native of Alexandria, who lived under the first two Ptolemies. The Romans had different kinds of them, which marked the hours in different ways. They called them *horologium hibernum*, winter clock, and sometimes also *horologium nocturnum*, night clock, in opposition to the dials, which were of no use in the night, and of very little in winter, when the rays of the sun are often intercepted by clouds.

To form an idea of these clocks, we may conceive a pretty large basin, filled with water, which, by a little hole contrived in the bottom, emptied itself into another vessel of nearly the same capacity, in the space of twelve hours; and where the water rising gradually, brought up perpendicularly, a bit of cork, or the figure of a genius pointing to the hours, which were marked one above the other on columns or pilasters.

Their clocks were different from those which the ancients called *clepsydra*. This was a glass filled with water, of a pyramidal figure, formed in a cone. The base was pierced, the upper orifice being very narrow, and lengthened into a point; on the water swam a piece of cork bearing a needle to mark the hours, traced along the vase, by descending gradually as it ran out.

Dials, *clepsydras*, and water clocks, were all the Romans knew. They were ignorant of the use of clocks with wheels. As useful as they are, many ages passed before the art of making them was even discovered. We are still uncertain of the time of this invention and of the name of the author. The present which the Caliph Haroun Al Raschid made to Charlemagne of a striking clock, was looked on as a wonder. Oëginard says, that it was a water-clock which marked the hours by the fall of some balls of metal upon a bell, and by some figures of men, which opened and shut certain doors contrived in the clock according to the number of the hours.

According to the Roman method of computing time, in summer the hours of the day were longer, and in winter shorter, than those of the night. The first began at sun-rise, the sixth at mid-day, and the twelfth at sun-set; then began the first hour of the night, of which the sixth was at midnight, and the twelfth at sun-rise.

Under the emperors, they began to perceive that this distribution was not convenient. By little and little, they introduced the manner of counting the twenty-four hours from midnight to midnight. It appears that this custom had already obtained in the time of Adrian. All the world knows that it is generally received in Europe, except among the Italians, who reckon the day from sun-set to sun-set, and the whole twenty-four hours successively.

The Romans employed the first hour of the day in the most essential duties of religion. The temples were open to all the world, and even often lighted before the dawn of day, for the accommodation of the most early worshippers. The homage they there paid to the gods consisted in adoring and invoking them by public and private prayers; in offering sacrifices, incense, and perfumes; and in chaunting hymns, which the youth of both sexes, and of the first families, sung, morning and evening, in their praise, to the sound of instruments.

Yet they gave not to the gods alone the first hours of the morning; they were also employed in paying those reciprocal duties, received and authorized in the world. At Rome, as elsewhere, the little paid their court to the great, the people to the magistrates, and the magistrates to the rich. To consider only the ordinary duties of a citizen, it appears that the greatest number employed the morning in the temples, the palaces of the great, in the forum, at the bar, and in the general transaction of their affairs; and that they devoted the rest of the day to visits and assemblies, to the walks and baths, to feasting and pleasure, to the care of health and exercises; amongst others, to that of the hand-ball and tennis.

The whole concluded about the eighth or ninth hour, that is, about three in the afternoon; and then every one repaired in haste to the private or public baths. It was natural that there should be more liberty conceded to the private baths, which, of course, belonged to individual owners; but the public baths were opened by the ringing of a bell always at the same hour; and those who came too late, ran the risk of bathing in cold water.

ON THE PROGRESS OF THE MEXICAN REVOLUTION.

(Continued from page 99.)

CAMPAIGN OF MORELOS.

AFTER the death of Hidalgo, the insurgents were split into factions, and acknowledging no common chief, and having no single point of union, their disjointed forces were exposed to be routed in detail by the combined movements of the royalist generals. The remnant of Hidalgo's army submitted to the authority of Rayon, but his power was not recognized

by any other portion of the revolted Creoles. He saw the imperious necessity of concentrating into the hand of an individual, or into the hands of some duly appointed committee, the superintendence and controul of the general interests; and with this view he determined to appoint a national junta, to be elected by some form of popular voting. Having matured his plan, he selected the town of Zitacuaro, in the state of Valladolid, as the best residence for this assembly, and carried the measure into effect about the end of May, 1811, by confiding the central government to five members, chosen by the most influential farmers in the neighbourhood, in conjunction with the ayuntamiento of the town. Immediately on their installation, they proposed terms of peace to the viceroy, which were rejected, and a further appeal to arms now became necessary.

There now appeared on the stage the famous Don José Maria Morelos, curate of Nucupetaro, an old college friend of Hidalgo, who, as stated in our February number, had entrusted his associate with the command of the whole south-western coast. This extraordinary man undertook this commission, accompanied by only five servants armed with muskets, and yet, within one year, he succeeded in capturing the important city of Acapulco. We shall condense the narrative of his exploits from the very faithful account published by Mr. Ward, in his valuable work on Mexico, a work, however, the usefulness of which is greatly limited by its price, but which we cordially recommend to all who can afford to make this addition in their library.

The first persons of rank who joined the standard of Morelos, were Don José, and Don Antonio Galeana, and their adhesion swelled the number of his followers to one thousand men. The rapidity of his successes soon rendered him the terror of the Spaniards and the admiration of the Creoles. Each victory augmented his army, and inspired his adherents with confidence in the talents of their leader. Morelos, certainly, was indebted to his ecclesiastical character for obtaining the support of so many of the common people, and so powerful was this influence that Calleja called him, in one of his dispatches to the viceroy, "a second Mahomet." But it was owing to his personal merits that he attracted the esteem of men of the highest ranks, such as the Bravos and Victoria, who willingly served under him; nor were they jealous at Morelos having nominated the curate Matamoros as his first lieutenant.

The whole of the year 1811 was occupied by a series of petty engagements, during which time Morelos and his officers used the most strenuous exertions to introduce military discipline among the blacks, who had enlisted in great numbers. In 1812, the patriotic forces arrived at Tasco, within twenty-five leagues of Mexico, and the advanced guard, under Bravo, pushed on to Chalco, with outposts at San Augustin de las Cuevas, within three leagues of the gates of Mexico. The viceroy, alarmed for

the safety of the capital, summoned Calleja to its defence, and Morelos had now to encounter this skilful general, with the troops that had triumphed over the first insurgents at Aculco and the bridge of Calderon. Morelos, though flushed with new successes, resolved not to advance on the capital, but to take up a position at Cuautla Amilpas, about twenty-two leagues from Mexico, and there await the arrival of his formidable opponent. This town he fortified with great care in the interior, though he threw up no outworks ; he cut trenches in all the streets ; walled up the doors and the lower windows of all the houses ; and broke a communication within, so as to give his men every advantage.

Before Calleja approached Cuautla Amilpas, he deemed it expedient to dissolve the junta established by Rayon at Zitacuaro, for the political influence of this body was even more formidable than the army of Morelos. On the 1st of January, 1812, Calleja arrived before the town, and on the second day he attacked and carried it by assault. The junta escaped ; but Calleja wreaked his vengeance on the people by decimating the inhabitants, and burning the whole town, excepting only the churches and convents. From thence he proceeded to Mexico, into which he made a triumphal entry, and on the 14th of February commenced his march towards Cuautla Amilpas, which he threatened with the fate of Zitacuaro.

On the approach of the royalists, Morelos went out, with a small escort to reconnoitre them, and was nearly captured for his imprudence. He was, however, saved by Galeana, who sallied out in person to his rescue, on which occasion Don José Maria Fernandez, now General Victoria, first distinguished himself. Morelos, however, had the satisfaction of witnessing the courage and discipline of his men, who bravely and unflinchingly, and hand to hand, attacked troops who advanced against them with the character of invincibles. On the next day, Calleja made a general assault on the town with his whole army divided into four columns, his artillery being in the centre, with full confidence of gaining an easy victory, for Cuautla Amilpas was not nearly so strong as Zitacuaro. Morelos allowed the enemy to approach to within one hundred yards of the entrenchments, in the Plaza of San Diego ; but there he opened so tremendous a fire, that the column was compelled to retreat with precipitancy. Galeana here distinguished himself, by engaging a Spanish colonel, who commanded in the Plaza, in single combat, and killing him on the spot, an exploit which greatly contributed to raise the spirit of the Mexicans. This action lasted from seven in the morning till three in the afternoon, when Calleja was compelled to retire, leaving five hundred men dead on the spot.

Calleja now saw the hopelessness of carrying the town by a coup-de-main, and determining to lay siege to it in regular form, wrote to Venegas, the viceroy, for additional supplies of artillery, ammunition, and troops.

The magazines of the capital were totally emptied and placed at the disposal of Calleja, and Brigadier Llano was ordered to join the army of the centre with his whole division. This junction did not take place before the 1st of March, for Llano, when he received the viceroy's commands, was engaged in attacking the town of Izucar, which was successfully defended by Don Vicente Guerrero. In the course of the revolution, this famous Mexican leader had received upwards of fifty wounds, and had had almost as many wonderful escapes from death. One of the most extraordinary, mentioned by Mr. Ward, occurred at Izucar. Guerrero was asleep, exhausted by fatigue, when a small shell came through the roof of the house in which he was, and rolled under his bed, where it exploded, and killed or wounded every person in the room but himself.

As soon as Calleja had received his reinforcements, he began to cannonade the town, for such was his activity that he erected batteries and breast-works in the course of a single night. The first shells alarmed the inhabitants greatly, but they became at last so indifferent to the balls and bullets, that the women and children were employed to pick them up in the streets, and for which Morelos paid them a fixed price per dozen. This siege completed the reputation of Morelos, for Calleja was baffled in all his attempts, nor did he ever obtain any advantage either by open force or strategical manœuvres. But a secret enemy soon appeared within the walls : Cuatla had never been properly supplied with provisions, and famine now prevailed to a horrible extent. Maize was almost the only sustenance of the men : a cat sold for six dollars ; a lizard for two ; and rats and other vermin for one. An ox, which was seen one day feeding between the Spanish camp and the town, nearly brought on a general engagement, for the troops, forgetful of discipline, sallied out in the hope of securing so rich a prize. Under these circumstances, Morelos was compelled to evacuate the town, and as his men were too enfeebled to force their way through the Spanish lines, it was resolved that they should retreat by stratagem. This design was executed with equal talent and success, for the whole army, on the night of the 2d of May, passed between the batteries of Calleja and Llano, and reached Izucar with the loss of only seventeen men, among whom unfortunately was Don Leonardo Bravo.

Calleja did not enter Cuatla till some hours after Morelos had quitted it ; so apprehensive was he of some new stratagem. The cruelties he exercised on the inhabitants have left an indelible stain upon his memory. After perpetrating every possible excess of vengeance he returned to the capital, and published a flaming report of his exploits ; but the public knew that he had been repulsed, and at last outwitted, by Morelos. Meanwhile Matamoros had completely organized the insurgent army, who soon again took the field and defeated the Spanish forces in several engagements. Morelos then resolved on his famous expedition against

Oaxaca. It was garrisoned by the royalists under Brigadier Regules. The artillery of the insurgents soon silenced that of their opponents, and Regules determined to make a last stand on the edge of a deep moat, which surrounds Oaxaca, and over which there was no passage but by a single drawbridge, which was drawn up, and the approach to it defended by the royalist infantry. This new obstacle checked the ardour of the advancing column. But the intrepidity and heroic daring of a single man at once removed the difficulty. Guadalupe Victoria, who was in the front rank, threw himself into the moat, sword in hand, and swam across: the enemy were so astonished at his temerity, that they allowed him to land, and even to cut the ropes, by which the drawbridge was suspended, without receiving a single wound; the troops of Morelos rushed across it, and soon made themselves masters of the town.

After this success and the capture of Acapulco, Morelos resolved to convene a national congress, which was composed of the original members of the junta of Zitacuaro, the deputies elected by the province of Oaxaca, and others, again, selected by them as representatives for the provinces still in possession of the royal troops. This assembly held its first session on the 13th September, 1813, in the town of Chilpanzingo, and passed an act declaratory of the absolute independence of Mexico. Morelos had now reached the summit of his glory, but fortune soon began to frown upon him. Had his life been spared, it is most probable that the revolution would have been brought to a speedy termination, for his personal influence was unbounded, and his authority universally respected by all his followers. But it was otherwise ordained.

Morelos prepared an expedition against the province of Valladolid; after which he intended to strike a decisive blow against the capital itself. To effect this object, he collected seven thousand men and a large train of artillery, and after sustaining the greatest hardships in marching across one hundred leagues of country which mortal man had never before traversed, he arrived before Valladolid, where he found a formidable force prepared to receive him, under the command of Llano and Iturbide. Rendered too confident by his former successes, Morelos ordered his troops to advance on the enemy instantly, without allowing them any time to recruit their exhausted strength. He was repulsed with loss. On the following morning, Matamoros, ignorant of the real numbers of the garrison, imprudently ordered a general review of the army, within half a mile of the walls. In the midst of it, Iturbide, by a sudden sally, threw the Mexicans into confusion. They, however, rallied, and drove back the Spaniards. At this moment, a large body of cavalry approached the field, intending to support Matamoros: but they had not agreed upon their signals, and the Mexicans mistaking them for enemies, fired upon them. They immediately made a furious charge upon the flank, and Iturbide, taking advantage of this mutual error, succeeded in routing

the whole army, with the loss of its best regiments, and the whole of the artillery.

This was the beginning of a series of reverses, which only terminated with the death of Morelos. Matamoros was taken prisoner and shot. Don Miguel Bravo was captured, and died on the scaffold. Galeana perished on the field of battle. The congress was driven out of Chilpanzingo, and the members were forced to take refuge in the woods. To place the national representatives in security, Morelos determined to undertake his expedition to Tehuacan, in the province of Puebla, where Teran had already assembled a considerable force. He commenced this ill-fated march with only five hundred men, across a country of sixty leagues, occupied by several divisions of the royalists. Some Indians gave information of the smallness of his escort to Don Manuel Concha, one of the Spanish commandants, who immediately resolved to attack them. Being surprised, Morelos ordered Don Nicolas Bravo to continue his march with the main body, as an escort to the congress, while he himself, with only fifty men, endeavoured to check the advance of the Spaniards. "My life," he said, "is of little consequence, provided the congress be saved. My race was run, from the moment that I saw an independent government established."

Thus resolved, this heroic chief awaited the advance of his enemies. They fired on Morelos and his little band, fearful of coming to close quarters with a man, who had set at defiance the whole Spanish government. When at length only one of his followers remained at his side, they rushed on him, and made him prisoner. There can be no doubt that Morelos had determined to die in this skirmish, and end his days by an act of devotion to his country. He was treated with the greatest brutality by the Spanish soldiers, who stripped him, and loaded him with chains. But Concha, to his honour be it recorded, behaved towards him with kindness and respect. He was conveyed to Mexico, and sentenced to death. He walked to the scaffold with unshaken firmness, confessed himself, embraced Concha, whose detachment had captured him, and then uttered the following short, but simple, and affecting prayer: "Lord, if I have done well, thou knowest it: if ill, to thy infinite mercy I commend my soul."

After this appeal to the Supreme Judge, he fastened with his own hand, a handkerchief about his eyes, gave the signal to the soldiers to fire, and met death with as much composure as he had ever shown when facing it on the field of battle.

ON THE ORIGIN OF CARDS.

ABOUT the year 1390, cards were invented to divert Charles the Sixth, then king of France, who had fallen into a melancholy disposition. That they were not in use before, as has been sometimes conjectured, appears highly probable from the following reasons. 1.—Because no cards are to be seen in any painting, sculpture, tapestry, &c. more ancient than the preceding period, but are represented in many works of ingenuity, since that age. 2.—No prohibitions relative to cards, by the king's edicts, are mentioned, although some few years before the year 1390, a most severe one was published, forbidding, by name, all manner of sport and pastimes, in order that the subjects might exercise themselves in shooting with bows and arrows, and be in a condition to oppose the English. Now, it is not to be presumed, that so luring a game as cards would have been omitted in the enumeration, had they been in use. 3.—In all the ecclesiastical canons prior to the said time, there occurs no mention of cards; although, twenty years after that date, the clergy were interdicted from playing at cards, by a Gallican synod. About the same time, is found in the account book of the king's cofferer, the following charge: "Paid for a pack of cards or painted leaves, bought for the king's amusement, three livres." Printing and stamping not being then discovered, the cards were painted, which made them so dear. 4.—About thirty years after this, a severe edict was issued against cards in France; and another by Emanuel, Duke of Savoy; only permitting ladies this pastime, *pro spinulis*, for pins and needles.

The inventor proposed, by the figures of the four suits, or colours, as the French call them, to represent the four states, or classes of men in the kingdom. By the *cœur* (hearts) are meant the *gens de chœur*, choir men, or ecclesiastics; and therefore, the Spaniards, who certainly received the use of cards from the French, have *copas*, or chalices, instead of hearts.

The nobility, or prime military part of the kingdom, are represented by the ends or points of lances or pikes, and our ignorance of the meaning or resemblance of the figure induced us to call them *spades*. The Spaniards have *espadas* (swords) in lieu of pikes, which is of similar import.

By diamonds, are designed the order of citizens, merchants, and tradesmen; *carreaux* (square stones,) tiles, and the like. The Spaniards had a coin, *dineros*, which answers to it; and the Dutch call the French word *carreaux*, *stienen*, stones, and diamonds, from the form.

Tréfle, the trefoil leaf, or clover grass, (corruptly called clubs,) alludes to the husbandmen and peasantry. How this suit came to be called clubs, we cannot explain, unless, borrowing the game from the

Spaniards, who have bastos (staves or clubs) instead of the trefoil, we gave the Spanish signification to the French figure.

The history of the four kings, which the French in drollery sometimes call the cards, is David, Alexander, Cesar, and Charles, which names still remain on a French pack. These represent the four celebrated monarchies of the Jews, Greeks, Romans, and Franks under Charlemagne.

By the queens are intended, Argine, Esther, Judith, and Pallas, (names still printed on French cards,) typical of birth, piety, fortitude, and wisdom, the qualifications residing in each person. Argine is an anagram for regina, queen by descent.

By the knaves were designed the servants to knights. Knave originally meant only a servant, and, in a very old translation of the Bible which we have seen, St. Paul is called the knave of Christ. In France, in former times, pages and valets were only allowed to persons of quality, esquires, (escuiers,) shield or armour bearers.

Others fancy that the knights themselves were designed by those cards, because Hogier and Lahire, two names on the French cards, were famous knights at the time cards were supposed to have been invented.

AGRICULTURE OF GUERNSEY.

✂ A very serious typographical error occurred in our last number, in the article on Montgomery Martin's History of the British Colonies. It was there mentioned that the "surface of Guernsey may be stated at *fifty-four* square miles," whereas, the true measurement is only *twenty-four* square miles.—Some few more particulars, as to the results of farming in Guernsey, cannot fail to interest both our local and English readers.

THE hay crops may be stated, in the uplands, well taken care of, to average three tons and a half, English weight, per acre; and they have been frequently known, in the best land and in favourable seasons, to amount to four tons and three quarters.

Field-roots for cattle are equally productive. Parsnips are no where grown with more success than in this island, and are probably, on the whole, the best root that can be cultivated. It is true that mangel wurzel give heavier crops, and are almost equally useful for milch cows, but for the fattening of stock of all kinds, they are not to be compared to parsnips. The mode of cultivating parsnips in Guernsey is well described by Dr. John MacCulloch, in his communication to the Caledonian Horticultural Society, in September, 1814. He was of opinion that it will form a material and valuable addition to the system of green crops, when it shall become better known; but it is chiefly on account of the power which it possesses of resisting the injuries of frost, that he points it out as an object of attention to the society. The produce per acre is considerably greater than that of the carrot. A good crop, in Guernsey, is considered about twenty-two tons per English acre. This is a less heavy crop than turnip, but it is much more considerable than that either of the carrot or the potatoe; and if we consider that the quantity of saccharine, mucilaginous, and, generally speaking, of nutritious matter in the parsnip, bears a far larger proportion to the water than it does in the turnip, its superiority in point of produce will appear in this case also the

greater. The allowance for fattening an ox is one hundred and twenty pounds per day, exclusive of hay. The animal is found to fatten quicker than when fed with any other root, and the meat turns out more sweet and delicate. Hogs prefer this root to all others, and make excellent pork, but the boiling of the root renders the bacon flabby. A hog may be fattened in six weeks by this food.

Too much can hardly be said in favour of the parsnip, or of the beef and pork fattened with that root. The meat sold in the Guernsey market about Christmas has no superior. The late dean of the island, the Rev. Mr. Durand, who was near ninety when he died, used to relate, that in his younger days he was invited to dine at an agricultural dinner in Hampshire, when some of the party, who had been in Guernsey, extolled the beef of that island: a dinner was betted, Guernsey against Leadenhall, and the dean was requested to send at Christmas a round and a sirloin from Guernsey: the opposite side procured the best that could be had in Leadenhall market. At the trial dinner, the superior excellence of the Guernsey beef was generally, if not unanimously, admitted.

On the 10th January, 1834, there was exhibited in the Guernsey market, a porker of twenty-two months, weighing neat seven hundred and thirty-three English pounds, which had never eaten any thing but raw parsnips and sour milk: finer meat was never seen. In the use of parsnips one caution is absolutely necessary. They ought never to be washed, but to be given as they are taken up from the ground; used in that way, they are found not to surfeit the hogs and cattle, and to fatten them better and quicker than they otherwise would; if washed, they are apt to satiate, and will, the farmers say, never thoroughly fatten.

THE PROPOSED NEW PIER AT GUERNSEY.

THANKS to the public press, so dreaded by a few old women *not in petticoats*, and the advocacy of a few individuals who can look to the future as well as to the present, there does appear now to be a strong probability that this important measure will be carried into execution. Various opinions are entertained as to the fittest position, and also as to the extent of the new harbour; this is to be expected in all public works, and indeed it is desirable that the question should be fully discussed in all its bearings, in order that sound and rational conclusions may be arrived at. In the present state of affairs, unanimity as to details cannot be hoped for, but it is gratifying to know that there is scarcely a dissentient voice as to the principle. All classes are sensible that the local trade has declined, and that some efforts must be made to prevent this retrogression proceeding further; this question does not apply solely to the town, but equally interests the country, for the rural population may be assured that whatever tends to impoverish the merchants and tradesmen and mechanics, will necessarily limit the demand and lower the price of agricultural produce.

It is not our intention, in the present article, to offer a single remark either as to the position or extent of the new harbour, but to confine ourselves solely to the question, How is the money to be raised? We have already shown, in the March number of this Magazine, that the wealth of Guernsey may be fairly estimated at £4,123,700, including the town and the nine country parishes, that is to say, the whole island, and that the wealth of the town, in proportion to the wealth of the country, is in the ratio nearly of three to one. Now, it appears to be the general opinion that a new harbour may be erected for the sum of £42,000, but as esti-

mates, however carefully drawn up, usually fall below the mark, we shall assume that the necessary expenditure would amount to £80,000. It may be calculated that the whole of the work would be completed in four years, thus dividing the whole outlay into four quarterly instalments of £15,000 each.

Before proceeding further, let us endeavour to classify, even imperfectly, the population of the island, on the members of which some impost must be levied to carry this measure into execution. We begin with the fundholders. They may object to the new harbour altogether, as conferring on them no immediate or personal benefit. Let us, then, dispassionately, without prejudice, and solely with a view to elicit truth, examine the validity of their presumed objection. First : If the general resources of the island decay, the number of persons, requiring parochial relief, will be augmented, and consequently the taxes raised for the maintenance of the hospital will be increased, and that increase must come out of the pockets of the fundholders ; therefore, they have a direct interest in keeping down the number of unemployed poor, and consequently, are personally and deeply interested in the success of a measure which tends to reduce the parochial rates. Secondly : By reason of the sub-division of property in this island, the fundholder of this generation knows that, unless he has only one child, his family will gradually descend in the scale of wealth, provided they have nothing to depend upon but their inheritance. We have looked over the tax lists for the last fifty years, and from them it is clear to demonstration, that there has been a continual interchange of wealth and poverty, some families rising, others falling, according to the number of brothers and sisters. It would be easy to give examples, but that might appear invidious ; nor is it necessary, for every Guernseyman knows the fact. Is it not, then, the bounden duty of every father, who now lives in opulence on his dividends, to look beyond the present to the future, and, for the sake of his children and grandchildren, if not for that of the public, cheerfully to contribute his proportion to a public work which must ultimately give bread to his posterity ?

We proceed to the merchants. Their benefit is too obvious to require much comment. Their vessels, instead of lying in an open roadstead, straining their ropes, and wearing away their tackle, with the chance of parting from their anchors, and being wrecked by a south-east gale, would be received in a safe and commodious harbour. Moreover, we have been assured by highly competent shipwrights, that it is impossible, in the existing pier, to repair efficiently the bottom of a vessel, and since that is the case, a single ship lost for want of proper examination and necessary labour would vastly exceed the proportion of the tax about to be levied on any individual shipowner.

Let us now look to the interests of the tradesmen. It is obvious that nearly the whole expenditure would consist of the wages of labour, all of which would find themselves in the pockets of the tradesmen every Saturday night. If, on the assumption we have made, £15,000 were annually appropriated for this purpose, it would be constantly circulating from hand to hand, and money, as Lord Bacon says, is like manure, it is of no value unless it is spread. And here the merchant would again be benefitted during the progress of the work, for the retail dealer would require additional supplies from the wholesale importer, on which the latter would realize his profit as well as the former. Nor would the wheelwright or the blacksmith be forgotten, for it is obvious that carts and machinery would form very material articles in the prosecution of the work. In short, every man who lives by trade, from the wealthiest shipowner to the poorest artizan, would be directly advantaged during the building of the pier, and that too, be it observed, in many cases, to a much larger extent than his quota of the tax,—brewers, bakers, and spirit dealers, in particular.

As to the rural population, they might not feel the benefit during the four years so much as the townspeople : but still, they would reap the advantage in the sale of their commodities ; for the labourers, being constantly employed, would be able to purchase more meat and vegetables. But when the work was completed, their interests would be permanently secured by the increased traffic, and the larger arrival of visitors, many of whom are deterred from coming twice to Guernsey for want of a suitable landing accommodation, particularly ladies and infirm gentlemen. Besides this consideration, they would have every facility for placing their cattle on board vessels going to England, quite free from the danger now incurred by slinging them from the crane on the north pier.

In reference to the community at large, it is quite clear that the impôt would be considerably augmented during the progress of the work, which augmentation would, of course, operate as a reduction of the estimated expenditure.

Having now attempted to show that all classes of society, to wit, the fundholder, the merchant, the tradesmen, and the farmer, would be permanently benefitted by this undertaking, and that the three last would derive immediate profit out of the wages of labour, distributed every week, we shall now proceed to consider the best mode of raising the funds, say sixty thousand pounds.

It is proposed by some gentlemen to levy a small duty on coals ; others recommend a tax on wines. For our parts, we object entirely to any tax on commodities, for, if the principle be once introduced into the island, it is impossible to say where it will cease. Of this we have sufficient proof in the existing impôt on spirituous liquors, which, originally granted for a limited period, and for a specific object, may now be considered as a permanent tax. We decidedly oppose every species whatsoever of indirect taxation, such as the excise and customs, for example, which obtain in England, because they must, in all cases, ultimately fall on the consumer ; for if any article be taxed, it is clear that the seller of that article will add the amount of the tax to the cost of production. Neither, in reference to the proposed new harbour, do we think it just to levy one farthing either on the insular or the foreign shipping, before the work is completed, on the same principle that no tenant is bound to pay rent before he is in possession of the premises leased to him. We extend the same argument to passengers arriving by the steam boats or sailing vessels.

Assuming, what no one we apprehend can deny, that a new harbour is a strictly national object, in which all the inhabitants of the bailiwick are deeply interested, we deem it proper that the whole expense of its construction should be defrayed by a general tax, levied by the States. And this view of the subject brings us to a most important question propounded by one of our correspondents in our February number, which refers to the proportions of tax now levied on the town and country ; the former paying one-third, by the existing law ; and the latter, two-thirds.

After having maturely weighed this point, and collected the opinions of many of the most intelligent persons in the island, we have arrived at a clear conviction of the necessity of changing the present system. We must obey the spirit of the age, and adapt our institutions to the altered condition of society. The taxable property of the town may be estimated, in round numbers, at one hundred and fifty thousand quarters ; and that of the nine country parishes, at fifty-five thousand quarters : the relative ratio being thus nearly in the proportion of three to one. Maintaining, as we do, that all the national expenditure should be assessed on the property of the nation, we consider that the time has now arrived to alter our mode of taxation, and place two-thirds of the burden on the town, and only one-third on the country. But equally firm is our conviction that, if this change takes place, the town ought to have more votes in the States than it has at present,

and the country sower; for, which ever part of the community sustains the greater load of taxes, that party are justly entitled to have the greater share of influence in voting the supplies. To effect this reform, no plan appears to us so compact, so judicious, and so free from valid objection, as the one recommended by our talented correspondent, who published his sentiments in our February number, and to which we refer our readers.

When it is considered that the wealth of Guernsey exceeds four millions sterling, it is really a national reproach to have continued so long with an insufficient harbour, narrow quays, and no landing place. Are the people really scared at the idea of expending the paltry sum of sixty thousand pounds, which can readily be borrowed at three per cent., and every farthing of which would be spent in the island, and give an active and immediate stimulus to local trade? Ten years ago, Captain Deschamps calculated that forty thousand persons landed annually in Guernsey, and we believe that the number may now be computed at sixty thousand; if there were a pier constructed in deep water, which admitted steam boats to lay alongside, and thus did away with the present necessity of boats, every passenger would willingly pay a shilling for the accommodation, and thus, from this single source, an annual revenue of three thousand pounds would be raised. Moreover, when the Southampton railway is completed, it is evident that many persons will visit that town, who are now deterred on account of its distance from the metropolis, and some of them would, no doubt, take a trip to the Channel Islands; from which circumstances we may fairly conclude, coupled with the new steam vessels now on the station, that the visitors to Guernsey will progressively increase.

It should also be considered that vessels, consigned to Guernsey with coals, would accept a lower freight than they now do, if there was a safe and commodious harbour, and a certainty of not being neaped. It is well known that some of the Insurance Clubs in the North will not allow their ships to come here at all, and the sole objection springs out of the badness of our pier. Nor is this argument limited to the coal trade, for every commodity, which enters the island, would be reduced in price, if freight was lowered, and that would certainly be the case if a new harbour were constructed. It is equally certain that many vessels would run here for shelter, which is now denied to them.

On a former occasion, we urged our public authorities to petition his Majesty's government to allow the poulage and other fiscal remains of feudalism, to be appropriated to the public exigencies of the island. We cannot think that so reasonable a request would be denied, and were it conceded, the whole amount might be applied to the harbour. But whether any portion of the necessary funds could thus be obtained or not, is matter of secondary importance: the grand point is to decide that there shall be a harbour commenced forthwith, and the money can be easily obtained in this wealthy island. Earnestly do we hope that the attention of the public will not be diverted from this most important undertaking, in the success of which every member of the community has a permanent interest. It is gratifying to know that the Chamber of Commerce has warmly adopted the opinions of the inhabitants, and we trust that these gentlemen will persevere in their laudable exertions, until the desired object be completed.

LECTURES AT THE GUERNSEY MECHANICS' INSTITUTION.

ON COMBUSTION.

AMONGST the varied phenomena, said Mr. Ollivier, which are constantly occurring around us, there is perhaps none more wonderful in itself, nor more interesting on account of its utility, than combustion. And yet this phenomenon appears to be very much disregarded, at least by the bulk of mankind. Very erroneous ideas are generally entertained respecting this really wonderful process. It is, indeed, rather discreditable to the age in which we live, that notwithstanding all the brilliant discoveries of modern times, relative to combustion, and the boast that the school-master is abroad; that vast numbers are as ignorant of the effects resulting from this process, as the inhabitants of those savage countries who have not been favoured with the light of science. It is indeed lamentable that the phenomena of nature should be viewed with so much apathy and indifference. Dr. Ure appropriately remarks: "A few happy rhymes or musical periods, though conveying sentiments both trite and trivial, will enamour the hearts and kindle the fancies of the million; while the optical revelations of Newton, and the electro-chemical magic of Davy, are either neglected altogether, or scanned with frigid tranquillity. The process of combustion has a high claim to our notice, not only from its constant occurrence and great utility, but also from its forming a part of nature's volume, which so strikingly displays the exquisite skill and infinite intelligence of its great Author."

I do not pretend in this lecture to explain the process of combustion; I shall only state facts relative to it. For it must be remarked, that the nature of combustion is yet but very imperfectly understood. Many different theories have been framed, at various times, in order to account for this phenomenon, but they have all been found fallacious, and incapable of explaining satisfactorily all cases of combustion. There is no phenomenon in nature by which the attention of philosophers has been more engaged, nor which has perplexed them more to account for, than this very common operation: nor are their efforts likely to prove successful till the nature of light, heat, and electricity, are better understood. One of the principal difficulties attending the explanation of this process, is the accounting for the evolution of heat and light, and the ascertaining the sources from which they are derived, whether from the combustible body, or from the air, or from both. For we must be aware that, during ordinary combustion, both the air and the combustible body are concerned, as the latter will not burn without the former. Although we cannot at present explain how the heat and light are produced, yet there are many interesting facts relative to combustion, the examination of which demands our serious consideration. In this lecture, I shall keep these in view, *facts*, rather than the description of those numerous theories of combustion which have been propounded at various periods, and successively exploded; being convinced that the description of such subjects, to a mixed audience, would be as tedious as it would be unprofitable. Indeed, a lecture room is not a place well suited for the dissemination of the abstruse speculations of chemical philosophers. It is not favourable to that concentration of thought necessary for their comprehension. I shall attempt, therefore, principally to remove some of the most prevailing prejudices respecting combustion.

It is a popular opinion, that the destruction of the combustible body is a necessary consequence of its undergoing combustion, and that when bodies are burned they are destroyed. But the science of chemistry teaches us the error, and demonstrates the fallacy, of such a conclusion. The beautiful and conclusive experiments

of modern chemistry prove that the destruction of the most minute particle of matter is utterly impossible. Its form, however, may be changed and its combinations varied, but its annihilation is beyond the power of man. This assertion will no doubt, to the common mind, appear at variance with common sense, and every-day observation; and judging from appearances, the cursory observer will be apt to draw a very different conclusion. Probably he will reason thus: How can a candle, or other combustible, burn and not be destroyed? Have we not palpable evidence that this is the case? Does not the candle disappear gradually, till scarcely a vestige of it remains?

But the man of science observes the phenomena of nature very differently. Where the superficial observer can discover nothing but apparent waste and destruction, he detects the process of ceaseless renovation. He beholds new substances continually forming; new compounds, like the fabled Phoenix of old, springing from this very decomposition and decay. He sees the elemental particles, of which the combustible is composed, converted into aeriform bodies, which are not the less useful than the original body, in the great laboratory of nature. Not content with judging from appearances, he examines nature by experiment, and pries into her most secret operations.

It is rather a difficult matter to give a good definition of combustion, at least one which can be applied to every case of combustion. It has been defined as the operation of fire upon any inflammable substance, by which it smokes, flames, and is reduced to ashes. Dr. Ure describes it as the disengagement of heat and light, which accompanies chemical combination. Sir Humphrey Davy describes it to be the general result of the actions of any substances possessed of strong chemical attractions, or different electrical relations, and that it takes place in all cases in which an intense and violent motion is communicated to the corpuscles or minute atoms of bodies. And by another chemist, simply as the result of intense chemical action. On these definitions I offer no remarks: when the subject of combustion has been duly investigated, we shall be better enabled to judge what kind of definition is most proper. When a stone or a brick is heated, it undergoes no change, except an augmentation of temperature; and when left to itself, it soon cools again and becomes as at first. But with combustible bodies the case is very different. When heated to a certain degree in the open air, they suddenly become much hotter of themselves, continue for a considerable time intensely hot, sending out a copious stream of caloric and light to the surrounding bodies. This emission, after a certain period, begins to diminish, and at last ceases altogether. The combustibles appear to be consumed, or, to speak more correctly, are converted into substances altogether new, and which frequently are not apparent to the senses. Thus, when charcoal is kept for some time at the temperature of about 800° , it kindles, becomes intensely hot, and continues to emit light and heat for a long time. When the combustion ceases, the charcoal has all disappeared, except an inconsiderable residuum of ashes; being almost entirely converted into carbonic acid gas, which makes its escape, unless the experiment be conducted in proper vessels. It is this change of properties, and apparent loss of substance, together with the rapid emission of light and heat, which constitute the process, usually termed combustion.

In the examination of these phenomena we have, therefore, two things to consider; first, the change which the body undergoes; and, secondly, the emission of light and heat.

"When bodies are burnt," says Berthollet, "none of their principles are destroyed; they had previously formed together one kind of compound, and they now separate from each other at the high temperature to which they are exposed,

in order to form others with the vital air in contact with them : and such of their principles as cannot unite with the vital air, viz. the earth, some saline and some metallic particles compose the cinder. The new compounds formed are carbonic acid and water ; the proportion of these varies according to the proportion of the carbonic particles, and of the hydrogen that had been contained in the inflammable body."

Although this passage describes the effects of combustion with great perspicuity and clearness, yet it may not be perfectly understood by one unacquainted with the principles of chemistry. I shall, therefore, enter more minutely into the subject, and elucidate some of those parts which may not appear perfectly intelligible.

Those substances which we use for producing fire and light, such as coal, oil, wood and tallow, are found, when subjected to chemical analysis, to be compound bodies. They are composed of two or more different ingredients. To these different ingredients, when separated from one another, and obtained in a distinct form, the names oxygen, nitrogen, hydrogen, carbon, &c. are applied. They are also called simple bodies, because, unlike coal, wood, oil and tallow, they have hitherto resisted all attempts to decompose them. Some of these ingredients or principles, such as nitrogen and oxygen, are incombustible ; and, on the other hand, those called hydrogen and carbon are combustible. We have, therefore, simple combustible bodies and compound combustible bodies. Some of these components can only be obtained in an aeriform state, such as oxygen, hydrogen, nitrogen, but the carbon may be obtained in the solid state. The simple combustibles are as follow : hydrogen, carbon, sulphur, phosphorus, boron, and the metals.

Combustible bodies cannot of themselves support their own combustion. Certain media are necessary to maintain it ; these, consequently, are called supporters of combustion. Thus, common atmospheric air is a supporter of combustion, for combustible bodies burn in it. Whereas, nitrogen gas, one of its constituents, is a non-supporter. Hydrogen gas also, although itself combustible, yet is a non-supporter of combustion. (Here Mr. Ollivier introduced a taper into a bottle of hydrogen gas ; it was immediately extinguished, but the hydrogen was inflamed at the mouth of the bottle, because hydrogen is combustible, but a non-supporter of combustion.)

We have thus seen the relation existing between a combustible and a supporter. It remains now to be shewn, that the combustible is not destroyed by undergoing combustion. But we must first premise that matter has no permanent form. Some elements, which constitute a solid body, may, by changing their state of combination, become gaseous or aeriform. When, therefore, the term gas is used, it is only to denote one of the forms of matter, the same as when the terms solid and liquid are used. The reason, therefore, that the greatest part of the combustible body disappears during combustion is, because the portion which disappears assumes the aerial form, or becomes converted into gas. It has been shewn in the preceding lecture, that it is the oxygen which is one of the constituent parts of air, which enables it to support combustion. This it effects by entering into combination with those constituent parts of the combustible body which have an affinity to, or are capable of uniting with, it. Thus, when coal, wood, tallow, &c. are burned, carbonic acid is formed, because carbon, one of their constituents, combines with the oxygen of the air, and forms a new body, called carbonic acid gas. Water is formed, because hydrogen, another of their constituents, by combining with oxygen, forms water. For water is a compound body, being composed of oxygen and hydrogen. As carbonic acid and water are the results of the combination of carbon and hydrogen with oxygen, and as some combustible bodies exist which contain neither of these principles, it necessarily follows that when such bodies undergo combustion, neither carbonic acid nor water will be formed. Thus, when we burn sulphur, which is considered a simple body, and consequently contains neither carbon nor hydrogen, a compound of oxygen and sulphur is formed, called sulphurous acid, which is the cause of that suffocating sensation experienced during the burning of sulphur. Phosphorus, which is also considered a simple body, forms, by burning, a compound of oxygen and phosphorus, called phosphoric

acid. The latter part, therefore, of the passage above quoted from Berthollet's chemical statics is correct only so far as it applies to the combustion of bodies containing both carbon and hydrogen.

From what has been stated, it must appear evident that the process of combustion, instead of destroying, merely decomposes the combustible body, and sets its several component parts at liberty, in order to form new combinations.

As the combustible, during combustion, combines with another body, and as the light and heat evolved during this process have no weight, it necessarily follows that the product of combustion will be heavier than the original combustible body, in the proportion of the weight of the oxygen with which it has combined. And this is found to be actually the case when the product of combustion is saved. If a candle be suffered to burn in a glass vessel of globular figure, with a trench round the interior of the bottom to receive the water as it trickles down, and the exterior be kept constantly cold by wet cloths, the water only formed by the combustion of the candle, without taking account of the carbonic acid also formed, will be found heavier than the original candle, in the proportion of the oxygen, which has combined with its hydrogen. One hundred ounces of oil, consumed in a similar manner, will form one hundred and thirty ounces of water.

It is also a very remarkable circumstance that all bodies, thus entering into chemical combination, invariably combine in certain fixed and definite proportions. Thus 12 parts of hydrogen invariably combine with 88 of oxygen by weight, to form water; 28 parts of carbon combine with 72 oxygen, to form carbonic acid; so that, when water or carbonic acid are analyzed, they are invariably found united in the above-mentioned proportions. We can, therefore, calculate beforehand how much carbonic and water will be formed by the combustion of a given weight of tallow or oil, supposing the whole of it to undergo combustion.

For this beautiful discovery we are entirely indebted to modern chemistry. It is most happily expressed, says Murray, in the sublime emphasis of the *Sacred Record*, which refers to Deity in the creation of material things: "He weighed the hills in scales, and the dust in a balance." There is thus proved to be a sublime literality in this extraordinary passage far surpassing the grandeur of orientalism, reserved for these latter days to illustrate. It is thus true that created forms are by weight and measure; and matter, in its multifarious combinations, reveals at length the important truth.

The merit of the discovery that the combustible body always increases in weight, and that the increase corresponds exactly to the weight of the quantity of oxygen gas which disappears during that process, belongs to Lavoisier. This he proved by several experiments. He found that phosphorus, in burning, absorbs more than one and a half its weight of oxygen gas, 45 grains of it consuming 69 of oxygen; and that the weight of the substance produced, during the combustion, exactly equals the sum of the weight of the phosphorus consumed, and oxygen absorbed. He proved the same with regard to sulphur, charcoal, and several of the metals. Thus, in the combustion of 100 grains of iron, he found that 70 cubic inches of oxygen gas were consumed, and the iron had increased in weight 35 grains. But a cubic inch of oxygen gas weighs just one half grain; the weight, therefore, of the 70 inches was 35 grains, corresponding exactly to the augmentation of weight in the iron.

The combustibility of bodies which have undergone combustion may again be restored by abstracting the oxygen with which they have combined. This may be effected by presenting to the burnt body a substance having a superior attraction for oxygen; the new body will deprive the burnt body of its oxygen, and its combustibility will be restored. For instance, if we take phosphoric acid, which is burnt phosphorus, or phosphorus combined with oxygen, and expose it to heat along with charcoal, it will become deoxygenized, the charcoal will combine with its oxygen and escape as carbonic acid, and the phosphorus will be reduced to its original form. The metallic oxides, in like manner, may, by being exposed to heat along with charcoal, be also reduced to their metallic state. Water is a product of combustion, and its base is hydrogen, a combustible substance. To restore the combustibility of the hydrogen, we have only to abstract its oxygen, which may readily be done by mixing iron or zinc filings and sulphuric acid, with the water; by which means the metal becomes oxidized, and the hydrogen gas is evolved as combustible as ever. Mr. Ollivier then decomposed water by this means, and inflamed the hydrogen as it escaped from the water. The combustibility of metals was also exemplified in the combustion of a watch-spring in oxygen gas, and also of that of a common file with a oxyhydrogen blow pipe.

The combustion of the metal, which was brilliant and striking, afforded a remarkable instance of the energy of oxygen as a supporter of combustion.

In concluding Mr. O. remarked, that the examination of those other subjects connected with combustion, which had not been mentioned, would be reserved for a future occasion.

THE CHAPEL OF LA HOUGUE-BIE, IN THE ISLAND OF JERSEY.

THE traditionary origin of this ancient chapel, though shrouded in the legendary lore of the mythology, contained in "*Le Livre Noir de Coutances*," is, perhaps, not altogether divested of truth. The account we have is, that this part of the island was infested by a monstrous serpent or dragon,* which desolated the country. Fired with an ardent desire to destroy the dreadful hydra, the lord of Hambye, in Normandy, undertook the adventurous enterprize, and was successful: but in the conflict, this chivalrous nobleman was apparently suffocated by the pestilential breath of his dying antagonist. The lord of Hambye was attended in this enterprize by a supposed trusty domestic, who, perceiving his master reviving from the effects of this conflict, basely assassinated him. Returning to Normandy with the tragical account that his lord did not long survive the encounter, he presented to the disconsolate widow a letter, which he represented to have been written by her lord just before his death, and which contained a dying request that his bride would recompense the faithful servant by conferring her hand upon him. The artifice prevailed, and the "mourning bride" was united at the sacred altar to the murderer of her husband: but, upon the very day on which the consummation of his villainy was complete, he was suddenly seized with a delirious paroxysm, disclosed the horrid truth, and, on recovering, was tried on his own confession and publicly executed.

The lady, as well to testify her grateful thanksgiving to Heaven for this miraculous deliverance, as to establish a lasting memorial of conjugal affection towards her murdered lord, caused a large and high mound of earth to be raised on the spot where the lord of Hambye was buried, on the summit of which she built a chapel, with so lofty a tower as to be visible from her own mansion at Coutances.

Various reliques, interesting to that learned portion of the insular community "which delighteth" in antiquarian research, have, from time to time, been found among the ruins of the old chapel. We present our readers with the following historical fragment, recently discovered in one of the venerable niches of the large tower.

Oh! list the doleful tragedie,
Which I, with grief, do tell;
Of all the woes and ills, which erst,
A noble pair befel.

This monument of Gothic art
For centuries hath told;
And yet to distant ages will
That dismal tale unfold.

And wakened by these ruined walls,
The muse will oft relate,
The deeds which marked the gallant knight,
And sealed the lover's fate.

In days of glorious chivalrie,
When knighthood did abound,
A dragon, of terrific mien,
Laid waste the country round.

Horror and deadly fear was rife
Throughout the neighbourhood;
For oftimes did this monster prey
On human flesh for food.

The widow's weeds,—the orphan's tears,—
The mother's shrill lament,
Did track the cruel monster's course,
And marked him as he went.

Across the sea, in Normandie,
(Whence sprung our ancient race,)

The rumour of this baneful scourge
Is borne from place to place.

Across the sea,—across the land,—
It travelleth right fast;
Till to the ear of Hambye's knight
It doth arrive at last.

His breast quick kindleth with desire
To meet this deadly foe,
Where honor leads, and danger calls,
He cannot choose, but go.

In vain his lovely bride essays
To check his youthful zeal;
Too well her fears, her beating breast,
And stifled sobs reveal.

"Nay weep not thus, my onelle life,
"My Athelinda dear;
"T would surely ill-become a knight
"To bow to woman's fear.

"The Holy Saints in Heaven above,
"Who watch o'er thee and me,
"Will bring me, ere five suns have passed,
"In safety back to thee."

He girds him with his trusty sword,
His lance, and buckler true;
A single page his steps attends,—
His only retinue.

* The dragon is probably the impersonation of some piratical marauder, who infested the islands about that time.

(Too little kenned this gallant knight,
That page's perfidious;
And how his black heart then conceived
This doleful tragédie.)

The lady watched their little bark,—
Athwart the wave it flew,
And o'er the billows faintly breathed
Her fond, her *last* adieu.

Ere five short hours their course had sped,
They reach the destined land,
And villagers in crowds collect,
To greet them on the strand.

"Welcome! most welcome! gallant knight!
"Thrice welcome, noble chief!
"Kind Heaven has sent thee here, to prove
"Our sure and firm relief."

Right courteously the knight replied,
And, ere he sought his tent,
He lent himself a willing guest
To village merriment.

The generous goblet circled round,
And all with one accord,
The joyous bumper filled, and pledged
"To Hambye's noble lord."

With the authenticity of this relique, if relique it be, we have little to do beyond informing our candid reader that considerable doubts have been seriously entertained upon the subject. We insert it here simply as a quaint specimen of the crude poetry of the fifteenth century, the age to which it has, by some, been considered as peculiarly belonging.

Four years have elapsed since it was first discovered, and as no successful attempt has since been made to bring to light the remnants of the poem, of which this "trouvaille" is evidently but the introduction, we are driven to one of two irresistible conclusions,—either that they never did exist, or, that they have mouldered in the ruins,—the popular, and perhaps the better, opinion leans towards the former conclusion of this logical alternative, and is supported by the probability that the author may have found more difficulty in killing the dragon with his pen, than did the "preux chevalier" in vanquishing him with his lance.

SION HOUSE ACADEMY, JERSEY.

We have perused with great satisfaction the Annual Report of the proceedings in this educational establishment. The plan is extensive and judicious, and the course of study pursued is marked by sound discretion. Convinced, as we are, that the vast majority of private schools, particularly in the environs of London, are conducted by persons who ought to be pupils instead of teachers, we rejoice that the island of Jersey enjoys the advantage of possessing so able an instructor of youth, as the superintendent of Sion House Academy. He evidently does not teach his scholars by the *rule of thumb*; nor is he wedded to ancient routine, merely because it is ancient. He has the good sense to obey the spirit of the age, to adapt his system to the wants of existing society, and qualify children to appear with credit and usefulness on the future stage of manhood. The fundamental principle of the plan of education pursued at this academy is the *principle of education*, framed in accordance with the principles of the Baconian or inductive philosophy. We cannot convey a clearer notion of this mode of instruction than by quoting the words of the Report, and placing the ordinary and the new method in juxtaposition.

TO TEACH

On the principle of education, is to lead a pupil.

- 1.—To observe.
- 2.—To observe with accuracy.
- 3.—To express with correctness the result of his observations. (To state facts.)
- 4.—To compare his observations together, and note in which there is an agreement, and in which a disagreement, and draw inferences. (To think.)
- 5.—To compare his inferences, inductions or conclusions (rules) with those of authors, and examine in what they agree and in what they differ. If his conclusion (rule) differs from the authors, to retrace his steps and find out the cause of the disagreement. (To investigate.)

TO TEACH

On the usual routine, is to tell a pupil.

- 1.—To believe.
- 2.—To believe without examination.
- 3.—To learn by rote, and repeat with correctness the result of the observations of others. (To learn rules by heart.)
- 4.—To make use of the rules he has learned with confidence, because if he follows them with accuracy he will obtain results that will be true. (To work with the precision of a machine.)
- 5.—To compare the result he obtains with those he should have obtained (with the key), and if his conclusions be erroneous, to retrace his steps and try to discover where he has violated the rule. (Not to despair.)

6.—To embody in language the result of his observations, with the utmost precision the subject is capable of.

Lastly.—To commit to memory all his conclusions, for the purpose of being able at all times readily to act in conformity with just principles. (To learn rules by heart.)

6.—That, seeing he obtained a false result because he forgot one important particular in the rule, he must use means to strengthen his memory, not to be exposed to similar mishaps in future, and that much practice therefore is indispensable to give him, at all times, a thorough competency in every subject of study.

Lastly.—To endeavour to find out the reasons of the rules which he has been observing for many years past, for the purpose of satisfying his mind that they have their foundation in reason. (To begin to think.)

The mere perusal of these two comparative statements shows, at a glance, the vast and essential difference between the principle of education, and the mechanical jog-trot, rule of thumb routine, pursued in most academies. In teaching arithmetic, for example, how seldom does a teacher explain to the pupil the principle on which any rule is founded! The Tutor's Assistant is put into a child's hand, he reads the rule, learns it by rote as a parrot, proceeds to work out a sum, and when it is finished, the child is just as ignorant, as when he commenced, of the rationale of the operation. Take, for instance, the simple rule of multiplication: is it not a mere effort of memory, acquired after repeated trials? Does not every child, in the great majority of cases, consider it a perfectly new and independent rule, sui generis, and unconnected with any other rule? And yet, it is neither more nor less than addition, in a condensed and abbreviated form; but how seldom is this fact made known to a pupil! The arithmetical books currently used in schools are quite unfit for children, and we are happy to find that Professor De Morgan's work, entitled "Principles of Arithmetic," is used at Sion House. Of this excellent publication Dr. Mayo thus speaks, and we fully concur in his eulogium:

"The simple, lucid, and well-arranged treatise of Professor De Morgan is among the happiest attempts to rescue arithmetic from its present degraded state, and to claim for it a place among other branches of rational education. It is peculiarly valuable for young persons, who having been, from their infancy, led *hood-winked* through the dark alleys of arithmetical rules, desire to take an intellectual view of operations which they have been taught to perform mechanically. It takes them as it were to an eminence, whence they can see the point from which they started, and that at which they have arrived, and, tracing all the windings of the dark passages which they were made to traverse, shews them that they were indeed the *shortest*, if not the best course they could have followed."

There is a peculiarity in the method of teaching the French language adopted at Sion House Academy, which is excellent: it relates to commercial terms. The phraseology of the counting-house is in all countries dissimilar from that of the drawing-room. The style of a mercantile letter differs *totò* from that of a literary epistle, so that an Englishman who can relish the beauties of Fenelon or Racine would be unable to understand a French price current. Of this variance between commercial terms and customary phraseology, the Report contains some striking examples, which we subjoin, as illustrations of technical language, and the importance of learning it.

STATE OF MARKETS.

Common boweds sell readily.

My dear Sir,

We have the pleasure to acknowledge the receipt of your favour of the 10th ult.

We are respectfully.

Whilst writing the above, we have received your letter of the 22nd inst.

Our latest sales, within these few days, have been very current.

This for your government.

Buyers held back.

Sugars are much sought after.

AVIS SUR LES COURS.

Le coton Georgie, courte soie, se vend facilement.

Monsieur et Ami,

Nous avons le plaisir de vous *accuser* réception de votre lettre du 10 de l'expiré.

Agréex nos civilités respectueuses.

Nous en sommes là de notre lettre, quand on nous remet la vôtre du 22 courant.

Les affaires ont été assez actives, ces jours-ci.

Ceci pour votre gouverne.

Les acheteurs font peu d'offres.

Les sucres sont très-courus, et en hausse.

Peppers are abundant at 22 cts., long pipe.

Mind to prevent our running under a cash disbursement.

5787 sticks of fustic.

A quantity of logwood, weighing—

20 bundles of steel.

375 pigs of lead, loose.

100 pipes of oil-proof brandy.

Le poivre est offert à 22c., droit compris.

Ayez soin de ne pas nous laisser en avance de caisse.

5787 buches de bois jaune.

Un grenier de campêche, pesant—

20 bottes d'acier.

375 saumons de plomb, en vrac.

100 pipes d'eau-de-vie, de 22½ deg.

Connected with commercial instruction, the pupils at Slon House Academy are initiated into the technicalities of trade, and learn to draw receipts, bills of exchange, accounts current, bills of lading, and so forth; a description of knowledge so rarely taught, that ninety-nine out of a hundred young men who have received what is termed a *liberal education*, are totally ignorant of the subject. We admit that book-keeping will be more readily learned in a counting house than at a school: but many never enter a counting house, who, nevertheless, ought to possess a general knowledge of mercantile routine and commercial terms.

We also notice with approbation the method adopted in teaching the higher branches of mathematics, as geometry, algebra, and trigonometry. "Our mode of teaching algebra," says the Report, "is that developed by Mr. Perry, which corresponds in its chief particular with that recommended by the Journal of Education, the great principle of which is to work an example before the pupil, *stating the reasons* of every step, and then requiring him to deduce laws,—note them, and afterwards compare them with the rule in his text book, &c. &c." The plan of teaching land surveying is also deserving of praise. It is quite true that an object submitted to the eye makes a stronger impression than if the laws relating to that object are merely communicated to the ear. Horace told us so long ago: *Segnius irritant animos demissa per aurem, quam quæ sunt oculis subjecta fidelibus*. This is particularly the case with practical subjects. The Report says, "the pupils of the land surveying class frequently go out with a teacher, to survey some adjoining piece of land. They take notes in a regular field book, and work the survey on their return."

The discipline of the school is modelled on a sound basis. The appointment of school officers from among the boys, as the magistrate, the conservators of school property, the librarian, and the dormitorial police, teaches the pupils to legislate for themselves, and they are thus initiated, in early life, in some general ideas of political government. On the whole, we cannot but accord very high praise to Slon House Academy, and if the practice really corresponds with the Report, of which we have no doubt, the establishment richly merits the patronage of parents and guardians. One thing is certain, that all is open and above board; for the principal, Mr. Elias Neel, by printing his system of education and entering into every minute detail, affords every person full opportunity of forming an accurate judgment of the merits or demerits of his establishment, and there is no better guarantee of truth and fair dealing than publicity.

SUMMARY OF MONTHLY LOCAL INTELLIGENCE.

ELECTION OF A JURAT.

THE Right Honourable the Lords of the Committee of Council, having granted the prayer of the petition of Peter Le Pelley, esq., to resign the office of jurat of the Royal Court of Guernsey, the Bailiff issued a Billet d'Etat, ordering a new election to supply the vacancy, worded in the following terms.

"The choice of a successor to Mr. Le Pelley, whom we regret under so many circumstances, can be safely entrusted to the good sense of the electors. They have, on all occasions, shewn proofs of their intelligence, independence, and love of their country, and they will feel, as myself, that it is the most noble and important of their duties. They who wish to refuse the people every thing, see perhaps with pain, but are nevertheless bound to confess, that the inhabitant of Guernsey possesses great and just rights, and that he is worthy of exercising them. Honour to the liberty and dignity of man! Should these attributes be despised every where else, let us hope that they will ever form an essential characteristic of the inhabitants of the

Channel Islands, and that justice, administered by upright magistrates of their choice, will ever preside over them.

"For this purpose, you will please to communicate the present notice of convocation to your Rector and Douzaine, and bring a correct list of the latter.

(Signed) "DANIEL DE LISLE BROCK, Guernsey, 9th March, 1856." "Bailiff.

A variety of candidates were proposed for the vacant office, by the local papers, but when the hour of contest arrived, all excitement had totally subsided. Mr. John Harvey had announced his intention not to canvass: Mr. Valrent followed his example; so that the trial of strength was merely nominal, and Mr. Harry Dobrée, jun., of Beau-Séjour, was chosen by a vast majority. Mr. Valrent is well known as a gentleman deeply versed in the customs and institutions of the island, possessing a vast fund of mercantile knowledge, and enjoying an irreproachable public and private character. These qualifications would have justly entitled him to a seat on the bench, which he would unquestionably have accepted.

tionably have honoured by his presence; but as he retired from the Town Douzaine, in consequence of being more than sixty years of age, the electors appear to have considered, that if he was too old to attend to the affairs of the parish, a fortiori, he was too old to undertake the laborious and fatiguing duties of a Magistrate. In that opinion we concur, and we believe that Mr. Valrent himself took the same view of the subject.

We consider that the electors made a very proper choice, when they selected Mr. Harry Dobrée, jun. It was with pain that we read a letter from one of the correspondents of the *Star*, recommending the rejection of this gentleman. Appreciating, as we highly do, the talents and liberal mind of our excellent contemporary, we were the more disappointed and astonished at his suffering his sound discretion to be surprised. For our part, we are delighted at seeing on the bench a gentleman, who has associated in the innocent recreations of the ball-room and the race-course, for he must there have learned some knowledge of the world, the better qualifying him to decide on the value of evidence. Surely a Judge is not to be taken from the section of recluses and ascetics, who, making no allowance for the frailties or indiscretions of their fellow-creatures, condemn without mercy, and sentence with unmitigated vengeance! No, no; let us have Magistrates who have mixed with all classes of society; who never take a one-eyed view of a question; who are not wedded to the ruling prejudices of a coterie; but who can take an enlarged, liberal, and

comprehensive survey of man, his motives, and his actions. We believe Mr. Dobrée to possess these requisites, and as he is now in the vigour of his age, possessing considerable talents, and enjoying the command of his time, we have no doubt of his proving himself worthy of the high honour conferred upon him by the unasked and free suffrages of his constituents.

GRANGE ROAD.

This beautiful avenue to the town is now to be macadamized, and improved by a granite foot-way. We congratulate the public on this decision; but we cannot forbear remarking, that the order itself emanated from an authority which we deem to be unconstitutional. The subject was brought before the Court, when sitting in its judicial capacity, and composed of the Bailiff and eight Magistrates. The proprietors of houses situate in the road were heard at the bar, and a great difference of opinion at first prevailed among them; but, at length, a compromise took place, the result of which was, that the road is to be macadamized; that in future the proprietors should pay the equivalent, and also half the expense that may be required in repairing the present footpath. Now, what we complain of is, that the Bailiff and eight Magistrates should assume a power which is really vested in the States, and by their votes bind all the absent representatives of the people. We readily admit the goodness of the measure about to be adopted; but we protest against the means employed for its enforcement. Surely this state of things requires an immediate reform.

JERSEY TESTIMONIAL TO THE BAILIFF OF GUERNSEY.

At a convocation of the States of Jersey, on the 9th March, Sir John De Veuille stated that Mr. Dupré, the solicitor-general, had been to Guernsey, and presented the Bailiff of that island with the piece of plate voted to him by the States of Jersey, for his eminent services rendered to the people of the Channel Islands in the celebrated affair of the Corn Question. The Attorney-General then read the following letter from Mr. Brock, acknowledging this mark of esteem and respect:

"To the Members of the States of the Island of Jersey."

"Gentlemen,—I have received, with the liveliest emotion, the Act which the States of Jersey thought proper to pass, the 29th June last, together with the piece of plate which accompanied it; and which they beg me to accept, to prove, as they say, how sensible they are of the important services which I have rendered together with the Deputies of Jersey, towards the common good of the Channel Islands, in defending the privilege for the free importation of their agricultural produce into England. This unexpected honour would more than reward him who would have distinguished himself by the most generous dévouement, and the greatest sacrifices. How could I aspire to it for the part which I have taken in those services which it is your pleasure to acknowledge in so flattering a manner?

"Our mission required neither dévouement nor sacrifices. It went only to show the truth,—to ask for justice,—and when the one appeared, it was certain that the other would be administered by a wise government, and a parliamentary committee composed of men of honour.

"It is impossible to conceive sweeter occupations than those which, under such favourable circumstances, had for their chief end the good fame and the welfare of our country. The

pure joy of our success was, certainly, for me a sufficient reward; but you add to my own feelings the expression of the interesting island of which you are the representatives. I feel deeply for your high favour of gratitude, but I cannot find terms adequate to express my feelings for the language which accompanies it.

"Let me be allowed to add my wishes for the continued good understanding which has shown itself in our last meeting.

"All men have a right to our good will; but nature, reason, and religion, impose on us the duty to concentrate more particularly our attachment towards our neighbours. The Channel Islands, those beautiful daughters of the sea, form one family, one country, united in their welfare, by their mutual origin, their wants, and the necessity to give each other a helping hand. The brightest blood of England and France has sprung from those Normans who acquired so great a renown with such trifling means; who contributed so largely to European civilization, and whose princes governed with that wisdom and justice before unknown, and which has ever been so rare.

"May we prove their worthy descendants; and may the Author of all good deign to shed his blessings on the island of Jersey and the other Channel Islands!

"Such is the sincere prayer of him who has the honour to subscribe himself,

"The obedient and humble Servant
of the States of the Island of Jersey.

(Signed) "DANIEL DE LISLE BROCK.
Guernsey, 1st February, 1830."

Mr. Constable Godfrey proposed that this letter, alike creditable to the head and heart of the worthy Bailiff of Guernsey, should be registered in the books of the States; a proposition which was carried unanimously.

THE .

GUERNSEY & JERSEY MAGAZINE.

MAY, 1836.

ON NATIONAL WEALTH.

ALL wealth is the effect of the application of physical and intellectual labour to raw materials. The earth is the depository of all raw materials, and the genius and industry of man may be considered as the animated machine by which they are manufactured into articles, adapted to our necessities and comforts. Value is originally bestowed on every thing by appropriation, for so long as it remains in common, it has no value, but only the capacity of being converted into value. In this sense, the whole earth was valueless before the creation of man; for we can form no notion of property independently of a proprietor, and no notion of value abstractedly from human labour. Value in use cannot exist without, at least, one consumer, and value in exchange requires, at least, the presence of two contracting parties.

Time was when the spontaneous fruits of the earth satisfied the human race, when their drink was water, the undressed skins of beasts their clothing, and the shadowing branches of a tree their place of rest. Emerging from this rude state, man became a hunter and fisher: he next entered the condition of a shepherd; from that he advanced to the rank of an agriculturist, and finally reached the station of a commercialist and manufacturer. When society has arrived at this last stage, it is said to have attained the point of civilization, and the component classes of a community so circumstanced, are distributed in the tripartite classification of landlords, capitalists, and operatives; the first living on the rent of land, the second being maintained by the profits of stock, and the third being subsisted by the wages of labour.

In order to have a clear view of the origin and gradual development of national wealth, it may be well to notice those general and elementary principles which are apparent in the rise and progress of all political communities, from barbarism to civilization. It is the knowledge of those principles which reduces the art of government into a science, and the judicious application of them to the varying condition of a country, and

the altering circumstances of a people, is the best and only test of a statesman. For every nation must be in one or other of these three conditions, advancing, stationary, or retrogressive; whence it follows, that legislation must fluctuate in its objects, and adapt itself to the spirit of the age. A system, which pushed a country forward to a given point of wealth, may become impolitic after that point has been gained, and a perseverance in it may cause a retrograde movement. The absurdity of continuing the same discipline with an adult as with a child is manifest, and it is equally ridiculous, though not so palpably glaring, to govern an old country on the principles which are applicable to a young and unformed community.

The first link in the chain of political society is the consciousness which every individual feels of being able to receive some benefit from his fellow man. This is the origin of barter, when a person, having a superfluous quantity of any article, exchanges it for an equivalent with some other person, who desires to obtain a portion of the redundant quantity held by his neighbour. This primitive mode of mercantile intercourse could only suit the limited wants of a limited population, inhabiting a very limited space of territory. Rude, however, as the system was, it is the origin of all commercial transactions.

It must have been soon felt that some medium or instrument of exchange was necessary to carry on the increasing operations of an increasing community, and the invention of man, ever prompt to aid his reasonable wishes, quickly provided the object desired. Money was substituted for barter, that is to say, a middle term was established between the two commodities about to be exchanged, as between wine and wheat, which middle term became a common measure of value both of the wine and wheat. The first metallic currency was copper; next was added silver: and this was followed by gold. With these representatives of labour and wealth, the commercial system went on for many centuries, but they were at last found inadequate to the wants of mankind. The same necessities which compelled the abandonment of direct barter, and led to the adoption of coined money, introduced promissory notes, bills of exchange, the banking and funding system. These three different modes of commercial intercourse, to wit, barter, the precious metals, and a paper currency, were established at different epochs, which are marks and boundaries in the history of civilization.

The instrument of exchange, of whatever it may consist, whether in the precious metals or in paper, is not wealth, but the conventional representative of wealth, the sign, but not the thing signified. Gold and silver have certainly an intrinsic value, *as commodities*, but this value is only the measure of the labour necessary to extract them from the mines. It is, therefore, essential not to confound their value as raw bullion, with their value as coin, for the former is real, while the latter is artificial.

People have agreed to take them in exchange for merchandize, and long usage has sanctioned the existing prejudice in their favour. But if we look below the surface, we shall find that all their superiority consists in their scarcity and indestructibility, for, in point of portability, or the faculty of representing a large value in a small compass, they are much inferior to paper, while their cost, as a circulating medium, is vastly higher. All money, whatever its description may be, ought to be considered as a mean to an end, and the end of society is the greatest happiness of the greatest number for the longest period of time.

When a nation has arrived at a high degree of civilization, and internal and external commerce has become extensive, the precious metals and paper currency combined, become insufficient to carry on mercantile operations. Another fictitious medium of exchange is established in the shape of credit. The wholesale manufacturer trusts the retailer, who trusts the consumer, and thus a new element of barter, to wit, time, is superadded. It is in this manner that government receives credit from the fundholder, who takes his dividend half-yearly, thus allowing six months to collect the taxes, the payment of which is, strictly speaking, a contingent event. All these operations are conventional, just as much as the instrument of exchange itself, whatever may be its description.

In tracing the monetary transactions of a country from that early period, when direct barter was the only medium of intercourse, down to the complicated machinery of funding, national mints, and banking establishments, it is obvious that the instrument of exchange has always expanded with the labour and necessities of an encreasing population. Not only has the circulating medium been augmented, and manufactured out of different commodities which have passed current together at the same time, but its efficient power has been greatly enhanced by the amazing rapidity with which it passes from hand to hand. Of this the changing house of the London bankers is a striking example, and the slightest attention must convince any person who attends to the subject, that the vast weekly fund of wages is no sooner paid to the operatives, than it finds its way into the pockets of the retail tradesman. This rapidity of circulation is one of the most efficient causes of national wealth ; for, as Lord Bacon has truly remarked, Money is like manure, it is of no use till it is spread.

It appears, then, evident that all the financial arrangements of a country should be regulated with a due regard to the peculiar circumstances in which that country is placed : whether it be stationary, retrogressive, or advancing ; whether its resources be chiefly drawn from agriculture or manufactures ; whether its population be diminishing or augmenting ; whether it be free from, or burdened with, debt. Not only are these considerations recommended by general principles of reasoning, but they are fully supported by the evidence of history. The elements of change

are mixed up with all political institutions. From the foundation of the monarchy to the present period, these causes have operated both on the people and the government, and introduced numerous alterations in the law and the constitution. What suited the Norman and Plantagenet era, was unfitted for the age of the Tudors : the policy of the Tudors was not adapted to the time of the Stuarts : and the Hanoverian dynasty was in its turn compelled to vary from the system adopted in preceding reigns. All these changes have had their effect on the sources of national wealth, both in its production and distribution ; and, in reference to finance, we are now living in a new world, every link in the chain being so delicate and fragile, as to threaten to snap asunder on the slightest pressure.

Property is usually comprehended under two leading divisions, immoveable and moveable, the former including land and the structures raised upon it, the latter embracing all manufactured articles and raw materials. But there is another species of property, not commonly noticed by writers on law, government, or political economy, though it is in fact the most important of all ; and this we deem to be industry and intellect. Without them, the land would have remained a desert wilderness, and man have continued to be an untutored savage. They are the parents of all wealth and the pioneers of civilization. Agriculture, manufactures, and commerce, are but the effects, of which industry and intellect are the efficient causes.

We are told by the political economists, that the strength of a country consists in the numbers of its population, and its command over the precious metals. If the foreign exchanges are in our favour, we are to make ourselves easy, and rejoice in obtaining the gold and silver of our neighbours. When the funds are steadily rising, we are ordered to exult at the firm credit of the nation. Now, all these things may exist, and really do exist at this time in England, yet trade yields barely any profit, land with the greatest difficulty sustains rent, and industry looks in vain for remunerating employment. When corn is so cheap as not to repay the cost of production, it is declared that the harvests are too abundant, the seasons too favourable, and the land too scientifically cultivated. Notwithstanding this censure of the bounties of Providence and the skilful labour of man, the poor still find that bread is beyond their reach, and we behold, coexistent at the same time, the fact of glutted granaries and a starving population. The manufacturers have been assailed in their turn by similar animadversions. They have been accused of overtrading, and giving too great an encouragement to industry. But in the midst of this redundant supply, thousands and tens of thousands were deficient both in clothing and furniture. It is clear, then, that the theory of the political economist is refuted by the practical results, and therefore we are warranted in denying that population and a command over the precious metals constitute national wealth. We hold this doctrine to be partial, narrow, and false,

and productive of the most mischievous consequences. The nerves and sinews of a country are not physical, but intellectual. A people, without education, are but a cluster of bulrushes, which every puff of wind may lay prostrate in the dust. A people, without morals, are alternately the tools or the slaves of despotism. A people, without religion, are but a rope of sand.

We have already stated, that when a nation has attained to the point of civilization, the inhabitants are divided into the three sections of landlords, capitalists, and operatives. When land has been long appropriated to the uses of exclusive ownership, and stock has been largely accumulated, these three classes exhibit a very marked numerical disproportion among each other, and the difference is the more striking, where the law of primogeniture is recognized. The landed proprietors are but a fraction, in point of numbers, compared with the whole population : the capitalists, including all who live on the profits of stock, are greatly more numerous than they are : while the operatives, comprehending all who subsist on the wages of labour, vastly outnumber the other two classes combined.

It is in the nature of things, that this numerical disproportion should always exist. Land is limited in extent and in fertility, for if the whole earth were cultivated as a garden, a supposition more hypothetical than probable, its productiveness would still be confined within limited boundaries. It being impossible to increase the surface of the soil, every acre appropriated to exclusive ownership leaves a diminished quantity for future distribution, till at last the whole becomes allotted, and an insurmountable barrier is raised against further occupancy. The landed proprietors thus become limited in numbers, precisely because the land itself, which constitutes their property, is limited in extent. The law of primogeniture, by disinheriting all the children of a family except the eldest son, perpetuates this system from generation to generation, and the manifest tendency of this process of concentration is to create a monopoly of the soil in few hands.

But this character of fixedness and limitation does not apply to stock, which forms the property of the capitalists, as the inventive faculties of man and the productive powers of machinery appear to be inexhaustible. The raw material, furnished by the earth, may be worked up into countless varieties of manufactured articles, and, by the aid of chemistry, air, fire, and water, become auxiliaries in the production of wealth. Land may be accurately measured, and thus its limits may be ascertained, but there is no assignable term to the products of industry and science created out of a combination of the elements of nature. It is on this account that the second section of society, those who live on the profits of stock, will always be more numerous than the landed proprietors, because there is always a wider field and more ample scope for the operations of the capitalists. Every generation witnesses some new invention, and some

novel application of machinery, each of which raises up a fresh class of traders, whose numbers are thus constantly progressing.

But it is not sufficient that there should be heads to contrive ; there must also be hands to execute, and between them a mutual dependence must always exist. Science itself would be mere barren speculation, unless labour realized what science had planned, and labour would lack employment, if science did not distribute the materials on which labour could be exercised. Capital, or accumulated stock, is the fund of wages, and as it is increased or diminished, the power of employing labour is increased or diminished. Every augmentation, therefore, of the class of capitalists enlarges the number of the operative population. As each manufacturer requires the services of many workmen, any numerical increase of the former must be attended with a vast numerical increase of the latter, so that the numbers of those who are maintained by the wages of labour will always vastly exceed the combined numbers of those who subsist on the rent of land and the profits of stock.

It is in this state that England now finds herself placed. She has attained, in the sense of political economy, the point of civilization. The inhabitants are divided into the three classes above enumerated, and their numerical relations are disposed in the order stated. The land is cultivated on the most scientific system : her manufactures exceed those of all other nations ; her mechanics are the most skilful, the most enlightened, and the most industrious in the world. The country is studded over with vast cities ; the harbours are crowded with vessels ; the warehouses are stocked with goods ; the roads are thronged with public and private conveyances. An external appearance of wealth and comfort strikes the eye of a casual passenger, from the Land's End to the northern extremities of Scotland. But, alas ! all is deceitful and a vain shadow. All the three sections of society murmur at their condition. The landed proprietor complains that rents are so depreciated in value, and so uncertain in their reception, that he must retreat to the continent for economy. The capitalist declares that the profits of trade barely return the common interest of money, and prepares to retire from business. The operative deplors the reduction of wages, which barely provide the common necessities of life. Are these the legitimate results of civilization ? If they are, then barbarism is enviable. Or, can this universal scene of discontent be ascribed to bad government and defective political institutions ? If so, then some remedy may be found for the evil. In order to discover the truth, we must not confine ourself to the surface, but penetrate sufficiently deep to arrive at the pure ore of financial knowledge. We must trace back the effects which we witness, to their remote causes, if we desire to ascertain the true character of the political disease which now gnaws the vitals of the country. Away with opiates and soporifics ; let us, with a bold hand, apply the caustic and the knife to arrest the progress of this destroying gangrene.

After William the Norman had effected the conquest of England, he rewarded his companions in arms with donations of land, and it is recorded in doomsday book that the whole country was parcelled out among six hundred and five proprietors. These favoured individuals were the original landlords, the sole receivers of what we call rent. At that time agriculture was the only source of wealth, so that the rest of the population were left wholly without property. From this source, remote though it be, the oligarchical structure of modern society is derived, the perpetuating principle being the law of primogeniture.

This original distribution of the Conqueror was scarcely established, before it felt the influence of competition. The king endeavoured to weaken the temporal barons by forfeiture of their estates: the barons plundered each other on every favourable opportunity, without the slightest regard to justice: while the clergy attacked them both, by spiritual menaces and spiritual finesse. The crusades, however, gave the first severe blow to the ancient institutions of landed property, and threw the balance of wealth in favour of the church. Large estates were voluntarily bestowed on the clergy, to pray for the safety of the adventurers in Palestine. Many knights, to gratify their pride or display their zeal, borrowed sums of money from the church to equip their followers, pledging their lands for the repayment of the advance. Vast numbers perished in the Holy Land, and the clergy took possession of their property, either to realize their securities, or under the pretext of praying their souls out of purgatory.

The continental wars in which the kings of England were engaged, as dukes of Normandy, impoverished the crown, and impaired the resources of the barons, while the civil wars between the rival houses of York and Lancaster nearly reduced the whole kingdom to beggary and famine. The barons, however, had succeeded in passing a law, called the Statute de Donis, or the Statute of Westminster the Second, which preserved their estates from forfeiture, and thus immense power was still retained in the hands of the territorial aristocracy: in addition to which protecting statute, the law of primogeniture prevented the severance of estates.

From the conquest to the accession of the Tudors, the social history of England presents one continued scene of aggressive competition between the monarch, the barons, and the clergy, each striving to gain excessive wealth by impoverishing their rivals. The only point in which they agreed was in coercing the people, and retaining them in bondage, for the real object of each was to appropriate to their own peculiar order the largest possible amount of the products of industry. In the course of these disorders, the working classes, slowly but gradually, emerged from obscurity. They raised themselves into sufficient importance to acquire a slight share of political power, and the foundations of the House of Commons were laid in the issuing of writs summoning the poorer barons

and capital burgesses to the common council of the nation. This concession, however, was not made from any honest motive or any worthy principle of government, but solely for the purpose of obtaining money from the trading classes through their deputies, such money being not only an accommodation to the king, but also a relief to the barons, who must otherwise have supplied his necessities out of their own pockets. Avarice, not justice ; cupidity, not patriotism, were the true parents of the House of Commons,—a fact not to be overlooked in estimating the boasted virtues of our ancestors.

If the crusades enriched the clergy at the expense of the temporal barons, the reformation was attended with results directly the reverse. The church was despoiled of her possessions, and the plunder bestowed on the minions of the king. Abbies and priories were confiscated, and the majority of our modern peers and wealthy commoners, who hold extensive landed estates, may trace their acquisition to the unbridled lust of an adulterer and murderer. Had these revenues been appropriated to the purposes of national education, the standard of morals would have been much higher in England than it actually is.

The aristocratic revolution of 1688, so preposterously lauded as a triumph of public liberty, further encreased the wealth of the territorial aristocracy, by conferring immense tracts of land in Ireland on the English nobility, which their descendants hold to this day. It is to secure the payment of Irish rents, that the labour of English mechanics is taxed for the support of the numerous army quartered in the sister kingdom, which, owing to this most iniquitous distribution of property, remains without education, morals, or humanity, and altogether unregulated by the rational principles of action.

This rapid glance at past times will convey some general idea of the rise and progress of that section of the community called "The Landlords." Their preponderating influence was first acquired by the usurpation of the Conqueror, and the immense grants of territory he bestowed on his chief officers. They were next indebted to Henry the Eighth for seizing on lands belonging to the church, and which were largely devoted to charitable uses. The last obligation they owe to the Prince of Orange, who despoiled his father-in-law of the crown, and rewarded his accomplices by stripping the natives of Ireland of their estates. What was acquired by these successive acts of open plunder has been kept together by the law of primogeniture, so that this territorial wealth is the joint product of direct robbery on the public at large, and disinheritation of every child in a family except the elder son. Such is a rough outline of the financial history of lords and squires.

The rise and progress of the second section of society, which includes the capitalists, has depended on so many circumstances that an exact enumeration of all, if even possible, would occupy an entire volume. It

is evident that this class of people were called into existence with the very first division of labour, and that they have branched off into various ramifications, in proportion as that fundamental principle of commerce has been extended. Every new application of skill and industry to raw materials has produced some addition to the manufactures of the country and created a new class of traders ; and, as capital is the surplus of production over consumption, it is plain that the number and wealth of the capitalists must encrease with the progressive development of the national resources.

Man has all the desires and capacities requisite for a social being, and as the whole human race are members of the same family, it has been wisely ordained that the common necessities and common pleasures of the world at large should be bound up together in one chain. In any given country, say, for example, England, certain commodities abound in one district and are deficient in another. The northern counties have a redundancy of coal, but are destitute of minerals. Cornwall is barren of coal, but rich in metals : this distribution of various sources of enjoyment draws the people of these two districts together, and cements social intercourse by the bond of mutual accommodation. By extending this view of the subject, it is easy to see that the foreign trade as well as the home trade are both governed, or at least ought to be governed, in the same spirit of reciprocity. As a mean to an end, commerce has nobler objects in view than the bare accumulation of money. It is the main instrument of civilization : the conqueror of geographical distinctions : the subduer of national prejudices : the enemy of war, and the friend of the whole human race.

The absolute necessities of life are food, clothing, and lodging. If every individual had to supply these necessities, each for himself, the age of barbarism would be again revived. The division of labour has removed this obstruction to social improvement ; and mutual wants, having conferred an exchangeable value on all commodities, have laid the foundation of commerce. But no systematic division of labour could ever have been effectively established, unless different members of the community had attached themselves to different pursuits : hence the variety of trades, and the rise of capitalists. On very rare occasions we may meet with an universal genius, but such an exception to the general law of our nature is justly accounted a phenomenon. Our faculties seem to be limited to excel in some particular department, with a view to keep us in mutual dependance on each other, and it is certain from all experience that any attempt at universal eminence has ever been attended with signal failure. So well does this accord with the common sense of mankind, that the sentiment has passed into a proverb : If you have too many irons in the fire, some will get burned.

Since then it appears that no particular tract of country produces every

commodity that the natives require, and that no individual man is able to regulate the production of all articles, it is clear that the division of labour is one of the necessary conditions on which all civilization depends. In the infancy of a state, agriculture is of the first importance, because, at such a period, it is the only source of wealth; but as it is not susceptible of any minute division of labour, it very soon reaches the standard of perfection, beyond which it cannot be pushed. But this is not the case with commerce. Imagination can fix no boundary to its ramifications. Man is never satisfied with his present condition, and is constantly moving forward to some ideal notion of perfectibility, which, when attained, is incommensurate with his wishes. What was once accounted a luxury, becomes in after ages an absolute necessary of life, and our acquired wants become as urgent as our natural wants. The produce of his native soil once satisfied man, but he now demands contribution from every quarter of the globe. In all this consists the expansibility of trade and the division of labour, which require for their superintendence a multitude of capitalists, and their classification into wholesale and retail traders.

The third section of society, those who live on the wages of labour, have participated in the benefits which flow from an augmentation of national wealth. When the feudal institutions prevailed, the agricultural labourer was bound to the soil, and liable to be sold with the crops and cattle. For him Magna Charta contained no protecting clauses; he was not accounted a *liber homo*, but a slave; and the trial by jury did not extend relief to the degraded and defenceless serf. The spirit of the age was opposed to all useful or honourable industry, and we read of nothing but bloody battles, cities stormed, provinces devastated, virgins ravished, matrons defiled, and their lovers and husbands butchered in cold blood. Young men of warm imagination are dazzled by deeds of chivalry and the romantic character of the feudal ages: they are charmed with the gallantry of the knight who attacks a giant, and releases a beautiful maiden from thralldom. But sober reason rejects, as fabulous, the stories narrated of men above the ordinary stature, and regards the exploits of knighthood against the giants, as proofs of the lawless feelings which prompted every powerful baron to insult and abuse the delicacy of unprotected females.

Whatever retards the useful industry of a nation in an equal degree undermines its virtue. Except in that relaxation which succeeds toil, the human mind finds no enjoyment, unless in the exertion of some of its powers. When a man is engaged in no pursuit which interests his affections, or excites his desires, he will employ himself in satiating the ever recurring demands of his animal passions. If his virtues be not called forth, he will be busy in inventing new gratifications for his vices. An idle nation is always vicious. In the reign of Charles the Second, an idle man and a gentleman were synonymous terms. Labour was a badge of

disgrace, and the most profligate and unprincipled courtier was the most admired. Rochester and Etheredge were at once the envy and opprobrium of their age. It is not surprising that vice and idleness should prevail, when those persons were accounted the most honourable, who least fulfilled the moral end of their creation.

But a change came over public opinion with the prosecution of the useful arts and the extension of manufactures. It began to be seen and felt that the principles of honour were not monopolised by the profession of arms. The merchant rose in dignity and esteem, and his elevation drew up the working classes above their degraded level. The head no longer despised and derided the hands that provided, and the stomach that prepared, its nourishment. The system of regulating wages by task-work gave a fresh stimulus to the intelligence and skill of the operatives, who vied with each other in the race of improvement. They began to read, and write, and think for themselves. Feelings of laudable pride raised their moral character, and they became sensible of the rational principles of action, to the influence of which England may attribute the intellectual superiority of her mechanics.

It is in this section of the community that the real strength of a nation resides. The operatives are the largest producers and distributors of national wealth. All capital has its origin in their exertions, and any law which prevents their progress in civilization, at once clogs the wheels of general improvement. If the workmen now employed throughout Lancashire were replaced by the Lazzaroni of Naples, every merchant and trader in the county would be ruined. Destroy the industry and skill of the mechanics, and the fundholder may whistle for his dividend. It is an incontrovertible truth, that if the operative section retrogrades, or even becomes stationary, no other part of the community can advance ; yet such is the infatuated delusion of the rich, that many of them tremble at the thought of popular education. Is ignorance, then, one of the sources of national wealth ? Are the comforts, the luxuries, or the necessities of life, most abundant among barbarians ? Or shall we not rather adopt the sentiment of Goldsmith, and say :

Ill fares the land, to hastening ills a prey,
Where wealth accumulates, and men decay !
Princes and lords may flourish or may fade,
A breath unmakes them, as a breath has made ;
But a bold peasantry, their country's pride,
When once destroyed, can never be supplied.

(*To be continued.*)

SYMPATHY, FRIENDSHIP, AND LOVE.

WHEN old chaos was stripped of his robe of night,
And the sky of the firm that had veiled its light,
When the glories of Heaven and the wonders of earth
Burst forth at the Word that had given them birth ;

When the worlds of the sky in their dazzling prime
 First lighted the pinions of infant Time,—
 Perfection omnipotent reigned above,
 But Earth wanted Sympathy, Friendship, and Love.

Spontaneous, the Earth its first fruits bore,
 Young nature exulted from shore to shore,
 Not a sound was heard of grief or care,
 But melody filled the earth and air;—
 The bounded waters in splendour rolled
 Like crystal reflecting waves of gold;
 The angels descended from realms above,—
 But Earth wanted Sympathy, Friendship, and Love.

—Then the Framer of all in *one being* combined
 A soul sublime and a noble mind,
 A lofty form and benignant eye
 That aspired to a home in the seraph-sky:
 The sinless earth and Eden the blessed
 By him, the lone one, *alone* possessed;
 But yet, as he strayed through bower and grove,
 He sighed for Sympathy, Friendship, and Love.

And lulled to sleep by the purling stream,
 His soul was thrilled by a blissful dream:—
 He deemed that 'midst nature's divine repose
 A being of beauty beside him rose,
 A form more bright than the angels seen
 On golden wings in the blue serene;
 And Hope sweetly whispered that form would prove
 A creature of Sympathy, Friendship, and Love.

His slumbers vanished—his raptured eye
 Unclosed on his vision's reality!—
 A smile of glory illumined the face
 And beamed o'er the figure a ceaseless grace;
 O'er the dazzling white form long bright locks hung
 Like golden rays o'er a silver-cloud flung;
 High thoughts sat throned on the heavenly brow,
 The pure soul spoke in the cheek's deep glow,
 Affection beamed in the melting eye,
 And Sympathy breathed in the softened sigh:—
 Yet o'er all was diffused an ineffable spell
 That forbade the lip the heart's language to tell;—
 Some power seemed wanting the flame to fan,—
 That power had appeared—'twas god-like man!—
 Simultaneous the bonds of the heart were burst,
 The thoughts commingled which each had nursed,—
 The soul of Sympathy's nectar drank,
 And Eve on the bosom of Adam sank!

Together they lingered in grot and grove
 Till Sympathy ripened to boundless Love:—
 The flowers that had round him unheeded bloomed,
 Now lovelier odours and tints assumed;

The fruits that in clustering profusion grew,
Seemed richer in flavour and brighter of hue;
The many-toned voices that thrilled around,
Now warbled notes of a sweeter sound;
The gems of Heaven in their dark blue home
More brilliance shed o'er the heavenly dome;
The virgin Moon with a smile more bright,
O'er Paradise poured her streams of light;
In oceans of glory the orb of day
Flashed rays of fire o'er his sapphire way.—
More gay seemed the waters, the earth, and air,—
For Adam had *one* all their treasures to share:
And when banished from Eden by Heaven's decree,
No longer from sin and sorrow free,
Lovely Eve to his saddened heart would prove
An Angel of Sympathy, Friendship, and Love.

J. D. PIERCEY.

THE EXECUTIONER OF CHARLES THE FIRST.

GEORGE the Second, on his return to London, after the battle of Dettingen, could with difficulty bear the sight of Lord Stair. He could not forgive his lordship's reproaching him for the danger which threatened the English army, in case the king had obstinately persisted in leaving it in the camp which it occupied, and where it would have been completely defeated, if the Duke de Grammont by his rashness had not saved it. Lord Stair, as proud as he was skilful in war, having soon perceived the king's dislike, and being little disposed to bear the shame of a formal disgrace, was on the point of returning to his estate in Scotland, when he received the following letter:

"My lord, your bravery is well known: but will you have the courage to go, to-morrow night, to the entrance of Somerset House, where you will meet one who, if you dare follow him, will conduct you to a part of the town not much frequented, but where you will find one who is impatient to see you, and to discover secrets which are of more importance than you imagine, and which cannot be disclosed in a letter. If you are afraid this should be a plot on your purse, bring nothing valuable about you."

We may conceive his lordship's surprise at reading this note. At first he took it for a trick of some secret enemy, or some affair of gallantry, the heroine of which had probably her reasons for so acting; however, he determined to go. He, therefore, after providing himself with a sword and a brace of pistols, went to Somerset House, and found there a man, who, without speaking, made him a sign to follow him; after walking for about an hour, they came into an unfrequented and dark street, when

the conductor knocked at the door of a small old house : when it was opened, he said "Walk in, my lord," and instantly the door was closed upon them. The intrepid nobleman, holding a sword in one hand and a pistol in the other, went up the staircase and entered a room, the furniture of which seemed very ancient. "Come in my lord," said a faint voice, issuing from a bed, "come in, you have nothing to fear ; pray sit down in a chair near to my bed, and we will converse together." "Very well," said Lord Stair, "but make haste, and tell me the reason of this odd adventure." "You are hasty, my lord," replied the other : "have a little patience, lay down your weapons, take that seat, and look at me." "His lordship, surprised at such authoritative commands, to which he was little accustomed, got up, took the lamp, went to the bed, and remained stupified at the sight of an old man, pale and thin, with a long white beard, whose eyes were instantly fixed on him. "Look at me, my lord," said he, "I am still alive, and owe to you the only true pleasure I have tasted these many years. Have age and misfortunes entirely effaced the marks of one who is nearly related to you, and who is delighted to find in you features, which are most dear to him?" His lordship, still more astonished, looked at the old man, and unable to account for the different emotions which agitated him, spoke not a word, "Stoop," said the old man, "and you will find, under my bed, a box containing papers which will amply repair the losses your family sustained by the civil wars." His lordship did as he was desired, and having placed the box on the bed, sat down again on his chair. "Here my lord," said the old man, "here are copies of the sales of three of the principal seats belonging to your ancestors, which your great grandfather sold, or rather pretended to sell, during the troubles. Here are also the letters of the pretended buyers, by which you may immediately recover the estates on your arrival in Scotland ; precautions have been taken to prevent disputes." What was his lordship's astonishment when he saw these three contracts for estates which he knew formerly belonged to his house. "Ah," cried he with transport, "Ah ! who are you, respectable and benevolent old man, to whom I owe more than to my own father ? Speak, I implore you ; favour me with the name of so generous a benefactor, in whom I am singularly interested, and whose days Heaven seems to have prolonged, that he may find in me, the most tender and respectful of friends, and the most grateful of men ?" "Leave me, my dear lord," said the old man in haste ; "I am too weak to bear a longer conversation ; leave me, I beg ; take that box, and bid adieu to an old man, who thinks himself less unfortunate since he has had the happiness of holding you in his arms." "Whoever you are," replied Lord Stair, "and whatever reasons you may have to conceal the name of so generous a man, can you have the cruelty to oblige me to obey you ? To abandon you in such a situation, without friends, without help, without ——." "Stop, my dear lord ! it is with pleasure I see in you

such generous sentiments ; but know that your friend, (since you think him worthy of that title,) however unfortunate he may be in other respects, is still free from want : therefore, if you wish to oblige me, leave me, my lord, instantly ; nay, do more, and believe me I have a right to demand it ; swear to me that you will never come here again, nor ever search after me, unless I send for you." His lordship, perceiving by his firm manner and commanding tone of voice, that he would not be refused, promised to obey him ; once more embraced him, and then left him with tears in his eyes. On his return home he immediately opened the box, and found a great number of papers. Next morning, as he was preparing (notwithstanding his promise) to return to the old man, he was suddenly stopped by the following letter, sealed with his own arms, and to his extreme surprise, signed George Stair.

"Do not return to me, my dear lord, for you will not find me ; if it had been only to tell you who I am, that is, your great grandfather, who has so long been supposed dead, and who justly deserved to be so, I should not have opposed your just desire to know your benefactor ; but the consequences which I foresaw of so interesting a scene, too much so for my weak age to bear, made me dread to satisfy your curiosity upon circumstances, which, far from offering to you so dear and respectable a relation as you imagined, would only have shown to you a wretch—a monster less worthy of pity than horror !

"My father died a few months after my birth ; my mother soon followed him. I was left to the care of an aunt, sister to my father, who brought me up so tenderly, that (though she was the cause of my crime) I still retain the most grateful remembrance of her in my heart. I was scarcely seventeen, when, struck with indignation at seeing my countrymen armed against their lawful sovereign, I formed the design of tendering to Charles the First, the offer of my fortune and sword ; but what was my astonishment, when, at disclosing my intentions to my good aunt, I saw her, trembling, lift her hands to heaven, and look at me with a kind of horror ! Surprised and afflicted at the state she was in, and burning with impatience to know the reason, 'You force me then to tell you,' said she, bursting into tears, 'know then that the prince whose fortunes you desire to assist, is the author of my shame and your father's death. I was about fifteen, and among the attendants who waited on his mother, when the wretch, imposing on my age and credulity, by the most sacred oaths, contrived to seduce me—in short he ruined me.

"The perfidious prince soon after went to Spain, in hopes of marrying the Infanta. I should have been entirely lost, if your father had not come to London ; to him I was obliged to own my misfortune, and the consequences which I dreaded. That dear brother, afflicted even to tears, went immediately to the queen, obtained permission to take me away, and sent me to one of his seats near Edinburgh, where I remained till I

was perfectly recovered. Alas ! I was doomed to see him no more. The grief which he conceived for my undoing, killed him ; and his worthy wife, after bringing you into the world, survived only a month. Such, my dear nephew, were the secret and deplorable motives which reduced me to that obscurity in which I have since lived, and with which you alone are acquainted. Judge now, my friend, if, after the care I have taken of your infancy, and the education I have procured, you can devote your fortune and arms to the author of so many calamities,—to a barbarian who has carried death into the breasts of your parents, and into mine eternal remorse.' 'No,' cried I, 'by heaven, no ! the wretch is unworthy of life and he shall die by my hand.' To tell you, my lord, by what means, as refined as dangerous, my fury against the king continually encreasing, I was at last able to satiate my revenge and fulfil my execrable oath ; to tell you all the events, and excess of remorse which soon followed my crime, would be now too grievous in my weak state to relate. Be satisfied with knowing that you may abhor me, as much as I detest myself ; that the executioner of King Charles the First, who appeared masked on the scaffold, was no other than your unworthy great grandfather, George Stair."

From 1649, when Charles was beheaded, to 1743, when the battle of Dettingen was fought, there is an interval of 94 years. On the supposition that Sir George Stair was twenty, when he committed this crime, his age, in 1743, must have been 114 years.

We found this statement in an anonymous French work, entitled "*Pièces intéressantes et peu connues.*" The author adds to the above, that, whatever were the emotions of Lord Stair on reading the letter, his first care was to look for the street and the house where he had seen his great-grandfather ; but finding the house empty, he learned from the neighbours that it had only been occupied for eight days by the last lodgers ; that it was never known who they were ; that since the preceding night, the servants had abandoned it, furnished as it was ; and that they could not tell of whom the tenant held the house, the proprietor being long since settled in America.

ANCIENT ORACLES.

Few superstitions have been so famous, and have so powerfully operated on the minds of mankind during a number of ages, as oracles. In treaties of peace or truces, the Greeks never forgot to stipulate for the liberty of going to oracles. No colony undertook new settlements, no war was declared, no important affair begun, without first consulting the oracles.

The most renowned were those of Delphi, Dodona, Trophonius, Jupiter Ammon, and the Clarian Apollo. Some have attributed the oracles of

Dodona to oaks ; others, to pigeons. The opinion of those pigeon prophetesses was introduced by the equivocation of a Thessalian word, which signified both a pigeon and a woman ; and thus gave rise to the fable, that two pigeons having taken wing from Thebes, one of them flew into Lybia, where it occasioned the establishment of the temple of Jupiter Ammon ; and the other, having stopped on the oaks of Dodona, informed the inhabitants, that it was the intention of Jupiter that there should be an oracle in that place. Herodotus has thus explained this fable : There were formerly two priestesses of Thebes, who were carried off by Phœnician merchants. She who was sold in Greece, settled in the forest of Dodona, whither great numbers of the ancient inhabitants of Greece went to gather acorns. She there erected a small temple at the foot of an oak, in honour of the same Jupiter, whose priestess she had been ; and here it was that this oracle was established, which, in after times, became so famous. The manner of delivering the oracles of Dodona was very singular. There was a great number of kettles suspended from trees near a copper statue, which was also suspended with a bunch of rods in its hand. When the wind happened to put it in motion, it struck the first kettle, which communicating its motion to the rest, all of them tingled, and produced a certain sound, which continued for a long time ; after which the oracle spoke.

The oracle of Jupiter Ammon was in the desert, in the midst of the burning sands of Africa. This oracle declared to Alexander, that Jupiter was his father. After several questions, having asked if the death of his father was sufficiently avenged, the oracle replied : That the death of Philip was avenged, but that the father of Alexander was immortal. This oracle gave occasion to Lucan to put great sentiments into the mouth of Cato. After the battle of Pharsalia, when Cæsar became master of the world, Labienus said to Cato : “ As we have now so good an opportunity of consulting so celebrated an oracle, let us know from it how to regulate our conduct during this war. The gods will not declare themselves more willingly for any one than Cato. You have always been befriended by the gods, and may therefore have the confidence to converse with Jupiter. Inform yourself of the destiny of the tyrant, and the fate of our country : whether we are to preserve our liberty, or to lose the fruit of this war ; and you may learn too what that virtue is to which you have been devoted, and what its reward.” Cato, continues Lucan, full of the divinity that was within him, returned to Labienus an answer worthy of an oracle. “ On what account, Labienus, would you have me consult Jupiter ? Shall I ask him whether it be better to lose life than liberty ? Whether life be a real good ? Whether virtue depends on fortune ? We have within us, Labienus, an oracle that can answer all these questions. Nothing happens but by the order of God. Let us not require of him to repeat to us what he has sufficiently engraved on our hearts. Truth has

not withdrawn into those deserts, nor is it graved on those sands. The abode of God is the heavens, the earth, the sea, and virtuous hearts. God speaks to us by all that we see, by all that surrounds us. Let the inconstant, and those who are subject to waver, according to events, have recourse to oracles. For my part, I find in nature every thing that can inspire the most constant resolution. The dastard, as well as the brave, cannot avoid death. Jupiter cannot tell us more." Cato thus spoke, and quitted the country without consulting the oracle.

Diodorus Siculus, Plutarch, and several other authors relate, that a herd of goats discovered the oracle at Delphi, sacred to the Pythian Apollo. One of the goats happened to approach so near to the mouth of the cavern, as to breathe the air that passed out of it; on which it returned bounding and skipping to the rest, while its voice articulated some extraordinary sounds; which circumstances being observed by their keepers, they went to look in, and were seized with a fury that made them jump about, and foretel future events. Coretas, as Plutarch tells, was the name of the goat-herd who discovered the oracle. One of the guards of Demetrius, coming too near the mouth of the cavern, was suffocated by the force of the exhalation, and died suddenly. The orifice or vent-hole of the cave was covered with a tripod consecrated to Apollo, on which the priestesses, called pythonesses, sat, to fill themselves with the prophetic vapour, and to conceive the spirit of divination, with the furor that made them acquainted with futurity, and foretel it in Greek hexameters. Plutarch says, that, on the cessation of an oracle, a Pythoness was so excessively tormented by the vapour, and suffered such violent convulsions, that all the priests ran away, and she died soon afterwards.

Pausanias describes the ceremonies that were practised for consulting the oracle of Trophonius. Every man who went down into his cave, never laughed his whole life after. This gave occasion to the proverbial saying, concerning those of a melancholy air, "He has consulted Trophonius." Plato relates that the two brothers Agamedes and Trophonius, having built the temple of Apollo, and asked the god for a reward, whatever he thought of most advantage to men, both died on the night succeeding their prayer. Pausanias gives us quite a different account. In the palace they built for the king Hyrieus, they so laid a stone that it might be taken away, and in the night they crept in through the aperture they had thus contrived, to steal the king's treasures. The king, observing the quantity of his gold diminished, though no locks or seals were broken, had traps fixed about his coffers, and Agamedes being caught in one of them, Trophonius cut off his head to prevent his discovering him. Trophonius, having disappeared that moment, it was given out that the earth had swallowed him in the same spot on which he had committed the murder, and impious superstition went so far as to place this wicked wretch in the rank of the gods, and consult his oracle with ceremonies equally painful and mysterious.

Tacitus speaks thus of the oracle of the Clarian Apollo. "Germanicus went to consult the oracle of Claros. It is not a woman that delivers the oracle there as at Delphi, but a man chosen out of certain families, and always of Miletum. It is sufficient to tell him the number and names of those who come to consult him; whereupon he retires into a grot, and, having taken some water out of a well that lies hid in it, he answers you in verses, to whatever you have thought of, though this man is often very ignorant."

Dion Cassius explains the manner in which the oracle of Nymphaea in Epirus delivered its responses. The party that consulted took incense, and, having prayed, threw the incense into the fire. If the thing desired was to be obtained, the incense was immediately in flames, and, even in the case of its not falling into the fire, the flame pursued and consumed it. But, if the thing was not to succeed, the incense did not come near the fire, or, if it fell into the flame, it started out and fled. It so happened for prognosticating futurity, in regard to every thing that was asked, except death and marriage, about which it was not allowed to ask any question.

Those who consulted the oracle of Amphiaraus, lay on the skins of victims, and received the answers of the oracle in a dream. Virgil attests the same thing of the oracle of Faunus, in Italy. A governor of Cilicia, who gave little credit to oracles, and was always surrounded by unbelieving Epicureans, sent a letter sealed with his signet to the oracle of Mopsus, requiring one of those answers that were received in a dream. The messenger, charged with the letter, brought it back in the same condition, not having been opened; and informed him that he had seen, in a dream, a very well made man, who said to him, "Black," without the addition of another word. Then the governor opening the letter, assured his company that he wanted to know of the divinity, whether he should sacrifice a white or a black bull.

The oracles were often very equivocal, or so obscure, that their signification was not understood till after the event. A few examples, out of a great many, will be sufficient. Croesus received from the pythoness this answer: "That by passing the river Halys, he would destroy a great empire;" he understood it to be the empire of his enemy, whereas he destroyed his own. The oracle consulted by Pyrrhus gave him an answer, which might be equally understood of the victory of Pyrrhus, or the victory of the Romans, his enemies.

Allo te, Æacida, Romanos vincere posse.

The equivocation lies in the construction of the Latin tongue, which cannot be rendered in English. The pythoness advises Croesus to guard against the mule. The king of Lydia understood nothing of the oracle, which denoted Cyrus descended from two different nations, from the

Medes by Mandane, his mother, the daughter of Astyages ; and from the Persians, by his father Cambyzes, whose race was far less grand and illustrious. Nero had for answer from the oracle of Delphi, that seventy-three might prove fatal to him. He believed he was safe from all danger till that age, but on hearing Galba proclaimed emperor, who was seventy-three years of age, he was sensible of the deceit of the oracle.

When men began to be better instructed by the lights of philosophy, oracles gradually fell into discredit. Chrysippus filled an entire volume with false or doubtful oracles. Ænomaus, to be revenged on some oracle that had deceived him, made a compilation of oracular predictions, to show their ridicule and vanity. Eusebius has preserved some fragments of this criticism of oracles by Ænomaus.—I might, says Origen, have recourse to the authority of Aristotle, and the Peripatetics, to make the Pythagoreans much suspected ; I might extract from the writings of Epicurus and his followers, an abundance of things to discredit oracles ; and I might show that the Greeks themselves made no great account of them.

The reputation of oracles was greatly lessened, when they became an artifice of politics. Themistocles, with a design of engaging the Athenians to quit Athens, and to embark on board their ships, in order to be in a better condition to resist Xerxes, made the pythoness deliver an oracle, commanding them to take refuge in wooden walls. Demosthenes used to say, that the pythoness philippised, to signify that she was gained over by Philip's presents. As men became enlightened these miserable frauds were detected, and the imposition on human credulity ceased. We know that Daniel discovered the imposture of the priests of Bel, who had a private way of getting into the temple, to take away the offered meats, and who made the king believe that the idol consumed them. Theophilus, bishop of Alexandria, not only destroyed the temples of the false gods, but discovered the cheats of the priests, by showing that the statues, some of which were of brass, and others of wood, were hollow within, and led into dark passages made in the wall. Lucian, in disclosing the impostures of the false prophet Alexander, says, that the oracular priests and priestesses were chiefly afraid of the subtilities of the Epicureans and the arguments of the Christians. The false prophet Alexander sometimes feigned himself seized with a divine fury, and by means of the herb sopewort, which he chewed, he frothed at the mouth in so extraordinary a manner, that the ignorant people attributed it to the strength of the god by whom he was possessed. He had long before prepared the head of a dragon, made of linen, which opened and shut its mouth by means of a horse's hair. He went by night to a place where the foundations of a temple were digging, and, having found water, either of a spring, or rain that had settled there, he hid in it the egg of a goose, into which he had introduced a little serpent, which had been just hatched.

The next day, very early in the morning, he went quite naked into the street, having only a scarf about the middle, holding in his hand a scythe, and tossing about his hair in imitation of the priests of Cybèle; then, ascending a high altar, he said that the place was happy to be honoured by the birth of a god. Afterwards, running down to the place where he had laid the goose egg, and going into the water, he began to sing the praises of Apollo and Æsculapius, and to invite the latter to come on earth and show himself to men. With these words he dipt a bowl into the water, and took out the pretended mysterious egg, which had a god enclosed in it, and when he had it in his hand, he declared that he held Æsculapius. Whilst all were eager to have a sight of this fine mystery, he broke the egg, and the little serpent, starting out, twisted itself about his fingers. Such is a specimen of ancient fraud and ancient credulity!

The cessation of oracles is attested by several profane authors, as Strabo, Juvenal, Lucan, and others. Plutarch, one of the most credulous of men, although a famous biographer, accounts for the cause of it on three grounds: either that the benefits of the gods are not eternal, as they themselves are; or that the genii, who presided over oracles, are subject to death; or that the exhalations of the earth had been exhausted. It appears that the last reason had been alleged in the time of Cicero, who ridicules it in his second book on divination, as if the spirit of prophecy, supposed to be excited by subterraneous effluvia, had evaporated by length of time, as wine or pickle by being long kept.

This summary account of oracles is intended to illustrate the feeling and mental character of nations steeped in ignorance, the baneful effects of superstition, and the artifices of the ancient priesthood. This infatuation, be it observed, was not confined to the common people, but equally influenced the chiefs of the state, for no public and national undertaking was ever resolved upon, without taking the opinion of an oracle, in a somewhat similar manner as that in which the moderns take the opinion of a lawyer. This example of popular credulity, among many others that might be cited, is a case in point against the enemies of the diffusion of knowledge, and shows that a refined and manly state of rational civilization can only be attained by enforcing a system of universal education.

THE TOMB OF WASHINGTON.

THE family vault of Mount Vernon stands near the brow of the declivity, at a little distance from the mansion, and at the point where the ground begins to fall away to the south. It is as plain and simple as can well be imagined. The excavation in the earth is neither large nor deep, and the small portion of the work that is visible in front, is a dead wall of bricks.

The door was low, humble, and unornamented,—a more meek and fitting passage to the narrow house of the dead than thresholds and arches of mocking architecture. The earth is rounded over the summit of the vault, and a few stunted and sickly cedars, have taken root on and about it.

I have stood by the side of many a boasted and admired tomb ; but by none with the awe and reverence with which I gazed on this. The dark days of the revolution, the gloom and difficulties which threatened the first hours of the present form of government, crowded on my memory, and produced a teeming picture, in which the most prominent object was the form of the man whose ashes were mouldering beneath my feet.

I have ever been an ardent, and were there not so much reason to support me, I might say an enthusiastic admirer of Washington. His character, unlike that of the heroes of other days, is most illustrious when seen at the nearest approach. Those who lived the closest to his person, and who possessed the best opportunity of studying his moral qualities, were touched with the deepest reverence for his virtues. The narrative of his private deeds is the counterpart of the history of his public acts. They were alike founded on the immutable principles of justice and truth. Men already regard him with the admiration with which they gaze at a severe statue of antiquity. He stands, naked of meretricious ornament, but grand in the majesty of reason.

Some, who know little of the history of the man, or of his nation, confound the images of his renown, by blending his merits with deeds that it was the fortune of no one to perform in America. That was not the country of Alexanders or Napoleons.

The useful career of Washington commenced at an age when men are occupied in fitting themselves for the active scenes of life. Before he had attained his majority, he was employed by his native province in situations of high trust. Even at that early period of life he had established a character for firmness, integrity, prudence, disinterestedness and humanity; which attended him to the peaceful grave in which I found his venerated ashes. There was an unpretending, but imposing dignity thrown about the person and character of this extraordinary youth, that distinguished him in every future scene. As a soldier, his career had been circumscribed,—as a politician, he had enjoyed no opportunities to earn distinction, and yet, when the hour of trial came, the eyes of a nation sought him anxiously. The congress of the union, composed of men from differently constituted and distant provinces, summoned him by a common impulse to lead its armies. The influence of his character had been silently extending itself over the vast regions whose fortunes were entrusted to his care. His rise to power was degraded by no intrigue ; its exercise was stained by no abuse. The times required that a people, jealous beyond precedent of their rights, should trust a large portion of their destinies to the keeping of a single man. They calmly, dispassion-

ately, and wisely made their election; confidence was nobly bestowed, meekly received, and gloriously requited!

The sword of Washington did not leap from its scabbard with the eagerness of military pride, or with the unbridled haste of one willing to make human life the sacrifice of an unhallowed ambition. It was deliberately drawn at the call of his country, but with a reluctance that came deep from the heart, and with a diffidence that acknowledged the undisputed dominion of God. He went forth to battle with the meekness of a mortal, the humanity of a Christian, the devotedness of a patriot, and the resolution of a victor. As his object was limited by a righteous moderation, so were his intentions to achieve it, bounded only by success. In the air, the declarations, and the pledges of such a man, we are not to look for dramatic effect, or promises that were made to be forgotten. He accepted the trust his country offered, because it was the pleasure of that country he should do so; and when its duties were excellently performed, he returned it into the hands whence it came, with a simplicity which spoke louder than a thousand protestations. The integrity of such a mind needed no stimulants from the pages of history. Its impulses were drawn from a higher source. Its self-denial was not a victory over opportunity, and occasion, and power, and all the natural promptings of busy man, but it was a silent, enduring, principled, and unconquerable will to refuse to admit temptation. So far as the human heart can be judged by outward symptoms, there never was a moment when this true hero suffered his thoughts to change their righteous and devoted direction; there never was a moment when men, in the least competent to speak on the question, suspected him of any other object than patriotism. It is impossible to look closely into the conduct and motives of this man, and not feel that his simple rule of morals said, "Self before dishonour, my country before self, and God before all."

The character of Washington was Doric, in all its proportions. Its beauty is the beauty of harmony between purpose and means, and its grandeur is owing to its chaste simplicity. Like the order of architecture to which I have ventured to ascribe a resemblance, it is not liable to the details of criticism. You see it in its majesty of outline, in its durability, and in its admirable adaptation to usefulness; but it rests on a foundation too firm, and it upholds a superstructure too severe, to be familiarly dissected. His fame already resembles that which centuries have produced for other men, while it owes no portion of its purity to the mist of time. Truth, bold, clear, and radiant, is the basis of his renown, and truth will bear his name to posterity in precisely the same just and simple attributes as it was known to those who lived in his immediate presence.

The age has been prolific of character, and it should be prolific in the lessons it conveys. I think a mighty moral is taught by the careers of Washington and Napoleon. A parallel between these eminent men is

impossible ; but a comparison is easy indeed. To say that the former lived for others, and the latter solely for himself, is to say no more than what most men see, and feel, and acknowledge. To endeavour to magnify the exploits of the latter, by putting them in contrast with those of the former, would be unjust, since accident, not merit, was at the bottom of this distinction. It should, however, never be forgotten, that the first achieved all he aimed at, which was all that man should do ; and that the last failed, from an incompetency of estimating his own powers. The error of the latter is the more unpardonable, since, to gross want of judgment, must be added unworthiness of purpose ; nor is it in any degree lessened by the circumstance that he sinned in the presence of so bright and so glorious an example. If there be any so weak as to believe the asseverations of Napoleon, that he fought for aught but self, let him try his patriotism by the same test as that of Washington. It is true that, in mere extent of achievement, the hero of France vastly outstripped the patriot of America ; but the latter not only wanted a theatre for his actions, but he was often deficient in means. Merit is of a nature too comparative to be rashly reduced to results ; but strip these men of their accidental and adventitious advantages, and regard them steadily. The military career of Napoleon was run in the current of prosperity, while that of Washington was a constant, but manly struggle, against a combination of the most adverse circumstances. In addition to this important fact, the one considered his troops as the devoted instruments of his own purposes, and he used them accordingly ; while the other looked on his followers not only as the sole guardians of a country to which they were devoted, but as an important portion of that community for whose happiness he was contending. Napoleon was greatest in prosperity : but the fame of Washington is as equal as his character.

It is cheering to virtue to know how lasting and more certain are its rewards than the temporary and doubtful fame which attends the mere conqueror. In what but the accidental attributes of a more advanced civilization does Napoleon materially differ from Jenghis Khan ? His contemporaries are already treating him with severity ; and, before another age is passed, and passion and antipathies shall have ceased, his career will lose one half of its lustre by the active agency of truth. How different has been the lot of Washington ! He has not yet been in his tomb for half the life of man, and the world have already placed him at the side of the brightest names of antiquity. The young, and the restless, and the weak of mind, may still find matter of applause in the career of Napoleon ; but it is the thoughtful, the good, and the experienced, who see the most to admire in the deeds, and the most to reverence in the character, of Washington.

Until I stood by the side of the grave of this illustrious man, I had never ceased to reproach his country with neglect, in not having reared a

monument of marble to his memory. But as I lingered, for nearly an hour, about the humble vault which holds his remains, it was impossible not to feel how much stronger is the impression left by character, in a place where no accessories of art exist to distract its musings. If I were an American, it would be the wish nearest to my heart to see the estate of Mount Vernon pass into the keeping of the nation, in order that it might be preserved, as nearly as possible, in its present condition. The vault should be kept in the touching and peaceful quiet in which it is now seen ; and when foreigners ask for the monument of their hero, let them be referred, with honest pride, to that liberty, and those institutions which grew on the confidence of the world, under his wise and patriotic guidance. If there be a name in the records of history that can afford to stand before the eyes of criticism devoid of artificial aid, it is that of the man who now sleeps beneath a few stunted cedars, and within mouldering walls of brick, on the banks of the Potomac.

ON THE ORIGIN AND PROGRESS OF THE ARTS.

SOME useful arts must be nearly coeval with the human race ; for food, clothing, and habitation, even in their original simplicity, require some art. Many other arts are of such antiquity as to place the inventors beyond the reach of tradition. Several have gradually crept into existence, without an inventor. The busy mind, however, accustomed to a beginning of things, cannot rest till it find or imagine a beginning to every art. Bacchus is said to have invented wine ; and Staphylus the mixing of wine with water. The bow and arrow are ascribed by tradition to Scythos, son of Jupiter, though a weapon found all over the world. Spinning is so useful, that it must be honoured with some illustrious inventor. It was ascribed by the Egyptians, to Isis ; by the Greeks, to Minerva ; by the Peruvians, to Mama Ella, wife to their first sovereign Mango Capac ; and by the Chinese, to the wife of their emperor Yao. Mark here by the way the connection of ideas ; spinning is a female occupation, and it must have had a female inventor.

In the hunter state, men are wholly occupied in procuring food, clothing, habitation, and other necessities, and have neither time nor zeal for studying conveniences. The ease of the shepherd state affords leisure for the prosecution of useful arts. The soil, by gradual improvements in husbandry, affords plenty with less labour than at first, and the surplus hands are employed in useful arts, and next in those of amusement. Arts accordingly make the quickest progress in a fertile soil, which produces abundance with trifling labour, and we accordingly find that they flourished at an early period in Egypt and Chaldea.

When men, who originally lived in caves like some wild animal, began to think of a more commodious habitation, their first houses were extremely simple; witness the houses of the Canadian savages, which continue so to this day. Their houses, says Charlevoix, are built with less art, neatness, and solidity, than those of the beavers, having neither chimnies nor windows; a hole only is left in the roof for admitting light and emitting smoke. That hole must be stopped when it rains or snows; and of course the fire is put out, that the inhabitants may not be blinded or suffocated. To have passed so many ages in that manner, without thinking of any improvement, shews how greatly men are influenced by custom.

Revenge early produced hostile weapons. The club and the dart are obvious inventions; not so the bow and arrow; and for that reason it is not easy to say how that weapon came to be universal. As iron is seldom found in a mine like other metals, it must have been a late discovery; at the siege of Troy, spears, darts, and arrows, were headed with brass. Menestheus, who succeeded Theseus in the kingdom of Athens, and led fifty ships to the siege of Troy, was reputed the first who marshalled an army in battle array. Instruments of defence are made necessary by those of offence. Trunks of trees, interlaced with branches, and supported with earth, made the first fortifications; to which succeeded a wall finished with a parapet for shooting in safety arrows at besiegers. As a parapet covers but half the body, holes were left in the wall, from space to space, no larger than to give passage to an arrow. Besiegers had no remedy but to beat down the wall. A battering ram was first used by Pericles, the Athenian, and perfected by the Carthaginians at the siege of Gades. To oppose that formidable machine, the wall was built with advanced parapets for throwing stones and fire upon the enemy, which kept them at a distance. A wooden booth upon wheels, and pushed close to the wall, secured the men who worked the battering ram. This invention was rendered ineffectual, by surrounding the wall with a broad and deep ditch. Besiegers were thus reduced to the necessity of inventing engines for hurling stones and javelins upon those who occupied the advanced parapet, in order to give an opportunity for filling up the ditch; and ancient historians expatiate upon the powerful operation of the catapulta and balista. These engines suggested a new invention for defence; instead of a simple circular wall, it was built with salient angles, like the teeth of a saw, in order that one part might flank another. That form of the wall was afterwards improved by raising round towers upon the salient angles, and the towers were improved by making them square. The ancients had no occasion for any form more complete, being sufficient for defence against all the missile weapons at that time known. The invention of cannon required a variation in military architecture. The first cannons were made of iron bars, forming a concave cylinder,

united by rings of copper. The first cannon balls were of stone, which required a very large aperture. A cannon was reduced to a smaller size, by substituting iron balls for stone ones; and that destructive engine was perfected by making it of cast metal. To resist its force, bastions were invented, horn-works, crown-works, half-moons, and so forth, and military architecture was thus reduced into a system governed by fundamental principles and general rules. But all in vain; it has indeed produced fortifications that have made sieges horribly bloody; but artillery, at the same time, has been carried to such perfection, and the art of attack so improved, that, according to the general opinion, no fortification can be deemed impregnable, Gibraltar perhaps excepted.

With respect to naval architecture, the first vessels were beams joined together and covered with planks, pushed forward with long poles in shallow water, and drawn by animals in deep water, who walked on the bank of the river, as is the custom now with barges on canals. To these succeeded trunks of trees cut hollow, termed by the Greeks "*monoxyles*." The next were planks united together in the form of *monoxyles*. The thought of imitating a fish advanced naval architecture. A prow was constructed in imitation of the head, a stern with a moveable rudder in imitation of the tail, and oars in imitation of the fins. Sails were at last added; which invention was so early, that the contriver is unknown. Before the year 1545, ships of war, in England, had no port-holes for guns, as at present; they had only a few cannons placed on the upper deck.

When Homer composed his poems, at least during the Trojan war, the Greeks had not acquired the art of gelding cattle; they ate the flesh of bulls, and of rams. Kings and princes killed and cooked their victuals; spoons, forks, table-cloths, and napkins were unknown. They fed sitting, the custom of reclining upon sofas being afterwards copied from Asia; and like other savages, they were great eaters. At the time mentioned, they had neither chimnies, nor candles, nor lamps. Torches are frequently mentioned by Homer, but lamps never: a vase was placed upon a tripod, in which was burnt drywood for giving light. Locks and keys were not common at that time. Bundles were secured by ropes intricately entwined, and hence the famous Gordian knot. Shoes and stockings were not early known among them, nor buttons, nor saddles, nor stirrups. Plutarch reports, that Gracchus caused stones to be erected along the highways leading from Rome, for the convenience of mounting their horses; for at that time stirrups were unknown, though an obvious invention. Linen for shirts was not used in Rome for many years after the government had become despotic; even so late as the eighth century it was not common in Europe.

Thales, one of the seven wise men of Greece, about six hundred years before Christ, invented the following method for measuring the height of

an Egyptian Pyramid. He watched the progress of the sun, till his body and its shadow were of the same length ; and at that instant measured the shadow of the pyramid, which consequently gave its height. Amasis, king of Egypt, present at the operation, thought it a wonderful effort of genius ; and the Greeks admired it highly. Geometry must have been in its cradle at that time. Anaximander, some ages before Christ, made the first map of the earth, so far as its proportions were then known. About the end of the thirteenth century, spectacles for assisting the sight were invented by Alexander Spina, a monk of Pisa. So useful an invention cannot be too much extolled. At a period of life, when the judgment is at maturity, and reading is of great benefit, the eyes begin to grow dim. One cannot help pitying the condition of bookish men before that invention, many of whom must have had their sight greatly impaired, while their appetite for reading was in vigour.

In an article of this description, the origin and progress of writing may be briefly noticed. To write, or, in other words, to exhibit thoughts to the eye, was early attempted in Egypt by hieroglyphics ; but these were not confined to Egypt ; figures, composed of painted feathers, were used in Mexico to express ideas, and by such figures Montezuma received intelligence of the Spanish invasion. In Peru, the only arithmetical figures known were knots of various colours, which served to cast up accounts. The second obvious step in the progress of the art of writing is, to represent each word by a mark, termed a *letter*, which is the Chinese way of writing : they have about eleven thousand of these marks, or letters, in common use ; and in matters of science they employ about sixty thousand. Our way is far more easy and commodious ; instead of marks or letters for words, which are infinite, we represent, by marks or letters, the articulate sounds that compose words ; these sounds do not exceed thirty in number, and consequently the same number of marks or letters are sufficient for writing. This was at once to step from hieroglyphics, the most imperfect mode of writing, to letters representing sounds, the most perfect ; for there is no probability that the Chinese mode was ever adopted in Europe. With us, the learning to read is so easy as to be acquired in childhood, and we are ready for the sciences as soon as the mind is ripe for them ; the Chinese mode, on the contrary, is an insurmountable obstruction to knowledge ; because, it being the work of a life to read with ease, no sufficient time remains for studying the sciences. Our case was, in some measure, the same at the restoration of learning ; it required an age to be familiarized with the Greek and Latin tongues, and too little time remained for gathering knowledge out of their books. The Chinese stand upon a more equal footing with respect to arts ; for these may be acquired by imitation or oral instruction without books.

The art of writing with letters representing sounds, is of all inventions

the most obvious, and the least important. The way of writing in China makes so naturally the second step in the progress of the arts, that our good fortune in stumbling on a way so much superior, cannot be sufficiently admired, when to it we are indebted for our ascendancy in literature above the Chinese. Their way of writing is a fatal obstruction to science ; for it is so rivetted by inveterate practice, that the difficulty would not be greater to make them change their language than their letters. Hieroglyphics were a sort of writing so miserably imperfect, as to make every improvement welcome ; but as the Chinese make a tolerable shift with their own letters, however cumbersome to those who know better, they never dream of any improvements. Hence it may be averred with great confidence, that, in China, the sciences, though still in infancy, must ever continue so.

The art of writing was known in Greece when Homer composed his two epics. It was at that time, however, probably in its cradle, and used only for recording laws, and religious precepts. Cyphers, invented in Hindostan, were brought into France from Arabia, about the end of the tenth century.

If we compare these ancient periods with modern times, how convincing is the evidence of the expansibility of the human understanding, and the progressive character of civilization. It is useful to meditate on these contrasts, as they prepare the mind to break asunder the shackles of prejudice, and thus assist the development of truth. What an amazing power is that of printing ! how perfectly is it now organized ! what consideration can more forcibly display its almost miraculous agency than the fact of the parliamentary debates being copiously and faithfully published within a few short hours after the speeches have been delivered ! Surely this may be classed among the brightest triumphs of human genius and industry.

RECOLLECTIONS OF HARROW.

In the autumn of 1807, my younger brother and myself were sent to Harrow, and placed as boarders with Miss M——l. At that time there were about three hundred boys in the school, and Dr. George Butler was head master, a man whose eagle eye and keen countenance struck terror into the young culprit. My eldest brother had very recently finished his education at Harrow, or rather, I should, say, left it, with the wretched education all public schools afford. Our tutor was Harry Drury, whose fine and extensive library often excited my wonder and envy, and which has since been brought to the hammer. Both my brother and myself were very young, and not sufficiently advanced to escape fagging, a remnant of barbarism which ought to be abolished in every school in

which it prevails, as it frequently makes the master a tyrant, and the fag a slave. As fags were then extremely scarce, we were objects of great desire, and were eagerly pounced upon by two Hibernians, who, "*sans cérémonie*," told us to consider ourselves their fags, and thus my brother was assigned to Goreby, and myself to Venby, (fictitious names,) much in the same manner as convicts in New Holland are given to the free settlers, not having the power, which most menials in England have, of changing our masters.

The duties of a fag are these—he must awake his master at a certain hour, brush his clothes and hat before he rises, lay out the breakfast and tea equipage in his study, fetch coffee, rolls, eggs, ham, &c., from a neighbouring shop, and make toast, if required—the remains of these good things are his perquisite, and if the master fare well, the fag lives well also. During the day, he must arrange and sweep the study, clean and replenish the candlesticks, &c., but the boots and shoes of every boy are cleaned by a servant; and, when not engaged by his own master, the fag must go on an errand, when ordered by any fagger of his own, or any other, boarding house. If a fagger require a fag, he *bawls* out in a drawling tone, even in the public street or road, so as to be heard at a great distance, "a boy," and all fags within hearing are expected to run to him; but when they hear this awful cry, they shun it, as they would the roaring of a lion, and, if possible, disappear in a twinkling, taking refuge in some convenient lurking place, until the cry be ended.

Goreby was a keen sportsman, and, as he privately kept several fox-hounds in the outskirts of the village, one part of my brother's duty was to collect all the broken victuals of the house, and carry them to his canine acquaintance, until, happily for him, Goreby was expelled during the rebellion in 1808, and both master and dogs quitted the school together. Goreby was a troublesome master, and was more solicitous that his hounds should be attended to, than for his own comforts, or those of his fag—still he had many redeeming points about him, and my poor brother shed tears in taking leave of him for ever; he was bold and generous, an excellent huntsman and runner, always following his dogs on foot, and so great an admirer of female charms and convivial society, that an evening seldom passed without his scaling the yard walls in quest of one or the other. Dr. Butler, mounted on a good hunter, once espied Goreby out of bounds in one of his usual rambling excursions on foot, and accompanied by another boy; away they went, the doctor pursuing over hedge and ditch in full chase after them, and, if I mistake not, Goreby fairly distanced the doctor, and reached the village, unrecognised, before him, but the other "fellow" was not so fortunate.

My brother's next master was the present Sir John Claridge, lately chief judge of Prince of Wales' Island, and both he and his younger brother, who came from Seven Oaks, in Kent, were most indulgent and

kind to him. If they had not left an ample supply for breakfast or tea, they always insisted on his getting what he liked best on their account, and such agreeable substitutes, as hot rolls, preserved fruits, &c., were of course preferred by a heedless youngster, whose funds did not admit of such luxuries, to the house allowance of a thick slice of bread and butter, which allowance was then transferred to any body's dog. We generally brought about five pounds each from home, and in a few days were pennyless, having to pay scores previously contracted for eatables, wherever we could get credit, so that we had nothing to depend upon till the ensuing vacation, but our weekly allowance of a shilling, and a chance remittance from our friends of a bank note or two. I am not quite certain that our last quarter's eatable scores were ever paid. I believe my father gave orders that they should be settled, but if they are still uncanceled, they rest very lightly on my conscience, because Mr. Cent per Cent, and Mr. Nipcheese, each in his small way, had already taken good care that he should lose nothing by us.

The elder Claridge was a first-rate classic and a general favourite—the younger was an adept in every manly game, excelling particularly in cricket; and once, to my great delight, as monitors and youngsters are natural enemies, he gave a monitor, much his superior in age, size, and strength, a sound drubbing after a long fight. No punishment is so much dreaded by a youngster, as being, what is technically termed, “handed up” by the monitors, that is to say, being severely caned by them in the school house for any particular offence, of which they constitute themselves sole judges, and of course admit of no appeal from this summary mode of justice. The first evening of the rebellion of 1808, I was caught by a monitor in the act of throwing stones at Dr. Butler's windows, and threatened by him with being “handed up;” but in the uproar and confusion of the three or four following days, I fortunately escaped. Probably this very monitor was one of the elder boys who, the same afternoon, had pelted the doctor with stones on his leaving the school, making him walk a little faster than he was wont, while the youngsters looked on enjoying the scene, which would have formed an excellent subject for Hogarth; and because Mr. Monitor had more mercy for Dr. Butler's glass than he had for his pate, I was to be punished for breaking one instead of the other. I thought this very unjust, but there was no arguing the question with a gentleman, whose opinion on such occasions is infallible. This rebellion was caused by the doctor breaking open the doors of two or three studies in our house, in search of fire works, and as every boy considered his study to be his castle, the whole school rose almost as one man to repel this outrage on its privileges—or rather the elders boys, the lords and commons, resented the king's stretch of power; and the youngsters, the people, stood in too much awe of the collective wisdom of parliament, and were too fond of a row, not to rebel

also against his majesty's authority, and that of his ministers, the under masters. But Dr. Butler was firm, and succeeded, after a few days, in bringing his lieges to order by the expulsion of eight boys, three of whom belonged to our house, which I must admit was the most refractory in the school, Miss M—I not having the slightest power over us. This house and yard were nearly opposite to the doctor's, and as, at night, we frequently let off rockets, squibs, crackers, &c., he could not avoid seeing and hearing them, and frequently came over to discover the delinquents, all fire works being strictly prohibited. The moment he knocked at the door, which was always locked to keep us in, some ran to their studies, others to the play-room; and when interrogated, every one was, of course, perfectly innocent, and if the head boy were questioned, he had been reading in his study, and had neither seen nor heard any fire-works. This tale, being so often repeated, must have irritated the Doctor, and induced him finally to endeavour to stop the evil by means which were met with general rebellion. A downright falsehood to a master is held to be perfectly venial, while for one boy to question the veracity of another is deemed so great an insult, that if the match be nearly equal, a fight is the necessary consequence. Ah! inconsistency, thy name is man! Another of our amusements was, with a cross-bow and nails, to break the upper windows of any neighbouring shopkeeper, who was considered avaricious or extortionate, and particularly if he were a pastry-cook, who had refused credit; and as these bows carried a nail to a long distance, woe unto that house which excited our displeasure. To toss the youngsters in blankets, taken from our beds by stealth, much to the annoyance and cost of Miss M—I, was a third pastime, and I know well, from experience, that the sensation of being hurled in the air is not very agreeable, exclusive of the risk attending such an ascent.

If Nero himself had been my master, I verily believe that I should have gained by the exchange, as a greater bully than Venby never existed. His overgrown, lanky, ill-shaped body, was a perfect index of his mind. He had the same pleasure in tormenting the youngsters that thoughtless children have in killing flies. I shall never forget his many cruelties and all that he made me suffer, but one good, I think, has arisen from them—the horror of arbitrary power—which will, I trust, accompany me to the grave. One of his delights was to make a boy run round the yard, while, with a four in hand whip, he stood in the centre, and touched him up, as he expressed it. I remember well being compelled by the elder boys to say, in Venby's presence, whom I liked best downwards in our house, and as I named the two Claridges, Little, Garrett, Clive, and every other fellow before him, he assured me privately that he would repay me for my dislike on the first opportunity. This, it may be easily imagined, was not long wanting, although I was on my guard. The following day,

forgot to empty his snuffers, and desiring me to wait till the

other boys had left the house on their way to school, (as he was apprehensive of being seen in the exercise of his brutal revenge,) he made me hold out my hand, while, with a long handled dust brush, he struck me repeatedly in a most unmerciful manner. Having eaten one evening as many, I think, as thirteen hard eggs for supper, being a well known glutton, and never leaving me, his unfortunate fag, any thing but the crumb of his rolls, he was taken dangerously ill, and physicians were sent for from London to attend him. His life was despaired of for some days, but he recovered to tyrannize over me and others, and perhaps fastidiousness may be shocked, when I say candidly, that his death would have been rather welcome than otherwise, because it would have afforded me both relief and comfort. When he got better, he gave me a sixpenny piece for my attendance during his illness, which I would gladly have thrown in his face, as my pride felt hurt at any pecuniary recompense, but which I dared not refuse. However, even at this distance of time, it gratifies me to remember that I never once attempted to avert his vengeance by falsehood or servility. I did my duty and accepted his accursed sixpence, it is true,—but had I concealed my dislike, I might possibly have met with more humane treatment, and I now glory in not having concealed it.

He once sent me to a detached carpenter's shop at noon, when he knew that the owner was at dinner, for some wooden broad swords, pretending that he had purchased them. On opening the door, I found the swords behind it, as he had described, and brought them to him, little suspecting that I had been engaged in committing a theft. A few months afterwards, the carpenter, while at work in our house, discovered several of *his tools*, which had been purloined by Venby and two other boys. This discovery led to that of the missing broad swords, and, being interrogated on the subject, I freely declared what I knew relative to them; but the matter was hushed up, I suspect by a bribe, as I never heard of it again. Dr. Butler could never have been informed of it, or the three fellows implicated would doubtless have been expelled with infamy; but had I been discovered in the act of taking the swords, I should probably have been disowned by Venby, punished for his crime, and been subject through life to the wretched ignominy of a tainted and doubtful character.

Having been at Harrow about nine months, I ceased to be Venby's fag, by being removed to a higher form, but he still continued to ill-treat me. At the end of the second year, Miss M——I gave up her boarding-house, and, in the hope of escaping all further contact with Venby, a first cousin of ours, my brother, and myself, resolved on boarding with a surgeon, Mr. B——n, who then had not a single boarder. Young Claridge, for whom we all would have run the gauntlet, also joined our small party. Here we should have enjoyed every happiness that a school affords, had

not Venby, like our evil genius, followed us. To our utter dismay he chose the same house, and now having no one to controul him but Claridge, who generally spent his evenings at other houses, his cruelties were redoubled, and at length became the subject of conversation throughout the school. Had we complained to Dr. Butler, or officially to the surgeon, we should perhaps have obtained some alleviation of our sufferings; but it was considered infamous to carry tales to a tutor, and I bore my share of misery in desperate silence, with the full determination of quitting the school for ever at the first vacation. Dr. Butler was, I believe, informed of the cause of our not returning again, and took an early opportunity of expelling our tormentor, at least so I understood from the three sons of Sir William M——s, who were at Harrow with ourselves, and whom I accidentally met in Hertfordshire on their return to Harrow in the following year.

Although we are commanded to forgive our enemies, and I would not intentionally do Venby an injury, yet I never reflect on his barbarities without feelings of horror and indignation, feelings excited by a conviction that his cruelties arose not from the heedlessness of youth, but from a heart innately wicked—from a disposition void of common humanity. This “honourable” despot, the eldest son of a peer, became subsequently a member of parliament, and, as another instance of his dishonourable and unfeeling conduct, I may add that a lady obtained, a few years since, a verdict against him of £5000 for a breach of promise of marriage under aggravated circumstances, he having, I think, married another lady of large fortune: so true it is, that all “honourables” are not honourable. That such a man, by the corrupt influence of an overgrown aristocracy, should legislate for millions of his fellow-citizens, was surely an anomaly in a constitution extolled for its perfections, and a disgrace to a people, who boasted of their justice and freedom. But, thank Heaven, reform has since grappled successfully with the Hydra.

The first of poets, Lord Byron, visited his former school-fellows several times during my stay at Harrow, and, as well as I now recollect, he had a most expressive countenance with fine features, and a beautiful head of dark hair; but his figure was rather stout and clumsy, and he was lame. He made Sir John Claridge a present of a superb edition of the Arabian Nights, elegantly bound, and once gave Bridgman, a son of Lord Bradford, a guinea for going a short distance with a message. He then pronounced his name, and was always called Byron, not *Byron* as it is now pronounced, and as the name in French is *Biron*, the *y* short is correct.

The Duke of Dorset, Earl Delawar, Lords Valletort and Wallingford, and “Honourables” innumerable, were scholars at Harrow in those days. The duke was a mild, unassuming young man, of a prepossessing, but rather effeminate presence. He was unfortunately killed by a fall from his horse, while hunting in Ireland, and the premature fate of this

promising and amiable young nobleman affords another sad instance how often talent and virtue, rank and fortune, are consigned to an early grave. His constant companion was Dawson, since under secretary of state for the home department, a fine determined fellow, and considered the "cock" of the school. Young Spencer Perceval, the eldest son of the Premier, and the present Colonel d'Este, son of the Duke of Sussex, and Lady Augusta Murray, were also at Harrow—the former was thought clever and promising—the latter was considered very like his grandfather, George the Third, and was nick-named "full moon," because he had a full face; but he was a well grown, athletic lad. His father once came to Harrow to hear the public speeches, and entered the room while one of the fellows was reciting. Young as I was, I remember being much struck with the genuine good breeding of Dr. Butler, who merely bowed to the Duke on his entry, and did not move from his chair to pay his respects to royalty, until the young commoner had finished his speech. How many men would have acted differently !

Another of my school-fellows was Brownlow Charles Colyear, who, had he lived, would have been Earl of Portmore. He inherited the immense personal property of his maternal grandfather, the Duke of Ancaster, and died in 1819, at Rome, of wounds inflicted by banditti. At least so says Debrett's Peerage; while, in Dr. Parr's Memoirs, it is stated, that Colyear was beaten and plundered by bandits, but that he died of a fever at Rome. He was also a mild, unassuming youth, and being in the same form, and sitting together, we were rather on intimate terms. It is a singular coincidence that three young Harrovians of the highest rank and fortune, acquired and prospective, should have died so prematurely—the Duke of Dorset, Colyear, and Lord Valletort, son of the Earl of Mount Edgcumbe, who also died young, owing to some accident.

Of the system of education pursued at Harrow, and I believe it is similar to that in other public schools, I cannot speak in terms of sufficient dislike and reprobation. Every really useful study is neglected for Latin and Greek, of which most boys obtain but a very superficial knowledge, and speedily forget what they have spent years in acquiring. Some acquaintance with the former is highly requisite for every gentleman, but it should be blended with, or made subservient to, the acquisition of our own, and any other modern language, mathematics, &c.; for surely nothing can be more ill-judged and preposterous than to teaze and cram a boy with Greek, who is not intended for a learned profession. It appears to me, however, that the time devoted either to Hebrew or Greek might be much more usefully applied. The result of this irksome drudgery is to make one boy out of fifty what is termed a good scholar, and to turn out the remainder as ignorant of, and as disgusted with, the classics, as can well be imagined. I never wrote a copy or cyphered once during the whole of my stay at Harrow. I could not digest Latin verses,

because I composed without understanding them, and the very sight of an exercise in Greek threw me into a fever. Cæsar's Commentaries and Virgil's Georgics were the only Latin works I liked. Where we should find sterling information of every kind, how often do we not meet with the mere tinsel of learning, caused by the wretched mode of instruction so prevalent even in this comparatively enlightened age! Thousands educated at an expensive public school and university, are at this day sadly deficient in the first rudiments of their native tongue, and can scarcely construct a single sentence without exposing their deficiencies. Better is it not to translate Homer and Virgil, than not to learn a mother tongue with grammatical propriety. How seldom do we hear of an English gentleman, who can speak even Latin with any fluency, although the best years of his youth were spent in studying it. Away then with this system, and let not antiquity and prejudice prevail over reform and improvement. Surely we possess all the wisdom of our ancestors with much more experience, and should now feel ashamed to pursue the long beaten track of defective education. If we follow this track much longer, the higher classes will be surpassed by the lower in every useful acquirement, and title or ancestry will cease to cloak ignorance, or to serve as a shelter from deserved contempt. Distinguished science or literary eminence is within the reach of very few, but every boy of common capacity may learn that which a respectable member of genteel society is expected to know. Indeed I am confident, from what I witnessed and experienced at Harrow, that the young man, who leaves a public school with superior acquirements, must possess extraordinary advantages, or be a self-taught genius.

On the other hand, public schools certainly possess advantages which, in the eyes of some, will go far towards counter-balancing their defects. A public school will probably give a boy a more resolute and independent character—make him more alive to insult—more sensitive of his honour, than one brought up in a private school, in too many of which, I believe, acts of vulgarity and meanness prevail. But again, boys acquire a habit of swearing in public schools, of which in after life they find it very difficult to divest themselves—such, I regret to say, is the case with myself in moments of irritation. In my time, swearing was so prevalent that at every sentence it was "I'll be d—d, or double d—d," and as it may be supposed, religion was in no great request among us. We were dragged to church twice on the sabbath, and while there, attended to any thing but the service. Indeed I heard of some "fellows" having amused themselves, a short time previously to my going to Harrow, with dazzling the vicar's eyes with the reflection of the sun from a small mirror, and I am convinced that, if we had not been strictly watched by the masters, many of us would have followed the example. As long as the master did not see the culprit, he was safe, because the surrounding "fellows" would

rather have been cut to pieces, than informed against him. In short, a man of the world may send his son to a public school, but a religious one should never. Although I may safely say that I learnt nothing at Harrow except to swear, box, and play at cricket, foot-ball, &c., probably the fault was as much mine as the school's. The annoyance of Greek disgusted me with the classics generally. My great delight was, even at twelve years of age, to get hold of a newspaper, and to read the gazettes, debates in parliament, &c. Sir Francis Burdett's speeches pleased me above all, because they advocated the rights of the people and the cause of freedom. Indeed, to an early love of reading, and to a private tutor, a clergyman in Warwickshire, under whom I was placed after I left Harrow, I owe the very little that I do know. He very judiciously directed my attention to Latin authors and to English literature. Here I felt at home, having access to an excellent library, and knowing that I was learning what was really of service to me.

ON DISTINCTION OF RANKS IN SOCIETY.

THE most inveterate enemy to the progress of truth is prejudice, founded on custom, and fortified by authority. In politics, in religion, in laws, in the habits and usages of private life, mankind are ever prone to imitation; and the ingenious sophist, who quotes a precedent, and from it draws a specious inference, is almost sure to triumph over reason and common sense. Fontenelle used to say that, if he had his hand full of truths, he would only allow one to escape at a time. There was sound judgment in this remark of the French philosopher, for, as the ground is always pre-occupied by prejudice and error, of what utility is it to force truth upon mankind, unless the more obvious impediments to its reception are previously removed? As a strong and vivid glare of light, bursting suddenly on the eyes, compels a man to close them, and leaves him for some moments nearly blind, so does the hasty and injudicious publication of truth startle and confuse the understanding; and optical vision and mental discernment are both involved in temporary darkness by the very attempt at dispelling obscurity.

The first step to knowledge and the formation of sound opinion is doubt, by which we understand a reluctance to believe any proposition, without a careful examination of the evidence on which it rests. How many erroneous doctrines have deluded the world, which had nothing else to recommend them but the authority of some popular name, some legendary tradition, or some wild flight of an ardent imagination! Thus, the dogmas of Aristotle reigned triumphantly for a thousand years, among which was a justification of slavery, and the prohibition of interest on

money. Thus, for ages, did superstition flourish, with necromancy, witchcraft, and every species of divination. Thus, during a long period, did the alchemists rule the hopes and fears of credulity, in vain researches after the elixir of life and the philosopher's stone. Thus, also, did the Ptolemaic system of astronomy prevail against that of Copernicus. Thus, for centuries, did kings claim to rule by divine right, and nobles to trample on plebeians with impunity. Now, had all these absurdities never been doubted, they would have continued in force to this day, and we never should have heard of such men as Luther, or Locke, or Newton, or Davey, or Bentham. It is in this sense, then, that we desire to be understood when we say, that the first step to knowledge is doubt.

Among the numerous bugbears which education is now sweeping away, like cobwebs from a mouldering wall, is the old fallacy on the distinction of ranks in society. Liberal philosophers have never advocated any system of perfect equality, though it is true that this most monstrous absurdity has been imputed to them; but the accusation proceeds from enemies who have attempted to blacken, with ridicule, doctrines impregnable against fair argument. Every one is sensible that, if all were equal this day, they would not be so to-morrow, for no legislative enactment can alter human nature. By our common constitution, there will ever be marked differences in talent, industry, strength, and perseverance, and these inequalities must produce dissimilar results in the relations which one man bears to another. The liberal philosopher, therefore, admits that there must always be some distinctions of rank in society, and willingly adopts the motto "*Palram qui meruit, ferat*" ("Let him bear the palm who has deserved it"); but the question is, who does deserve it? The men of title, blood, and wealth, say the lickspittles; the men of labour and industry, say we.

Titles of honour, when strictly personal, and not transmissible from father to son, may perhaps be tolerated; but they are such as no *truly great* man would desire to possess. We just as much venerate the memory of plain George Washington, as we should that of George Washington, Duke of New York, Marquess of Boston, Earl of Philadelphia, Baron of New Orleans. It should also be considered that the power of conferring a title rests with one man, the sovereign, who may be, and in the vast majority of cases really is, the most worthless of the community; for, although the legal fiction declares him to be the "fountain of honour," the experience of history has stamped the opposite character on the great majority of kings. But still less are titular distinctions proofs of superiority when they are hereditary; for a Borgia might be the descendant of a Cato, or a Mævius of a Virgil.

To claim an ascendancy over our fellow-creatures on the score of blood, is too whimsical a pretension to admit of any serious argument, and it may be at once dismissed from consideration, till those who insist on the

aristocracy of this fluid, exactly define the relative virtues of the venous and arterial circulation. If blood be used, in a metaphorical sense, to denote antiquity of pedigree, it remains to be shown that chronological dates are a just criteria of moral excellence ; but, as we see no analogy between the succession of time and the qualities of the mind, the metaphorical construction sought to be attached to the word " blood," is as objectionable as the literal one. Only another remark on this folly : gentle reader, what think you of the aristocracy of the bile, or of the gastric juices, or of the wax in your ears, or the lachrymal exudations of the eyes ? Is any one of these less irrational, than the aristocracy of the blood ?

We now come to wealth, as the test or standard of distinction of rank. There are only three ways, by which it can be acquired. First : it may be inherited ; in that case, it is a fortunate accident, and does not entitle its lucky possessor to any superiority over those who are less favoured. Secondly : it may be obtained by fraud or robbery ; then it is a badge of infamy. Thirdly : it may be accumulated by fair dealing and honest labour ; in this last case, and in this alone, it is a mark of honour and a title to merit.

Notwithstanding the oft repeated remark of the schoolmaster being abroad, it must be confessed, and confessed with sorrow and shame, that the people of England judge men and things far too much by external appearances. They see a fellow-creature, exactly like themselves, in all but adventitious circumstances, who may have merged the dignity of manhood in the degradation of the peerage ; or another, who may have sacrificed all public principle to tie a garter round his knee, or stick a star upon his breast ; and lo ! the multitude fall down, and worship the harlequin and the harlequinade. You shall see a carriage drawn by four horses, with a coronet on the pannels, driven by a coachman wearing a wig surmounted by a three-cornered hat, and attended by two tall footmen with long sticks, stop at a hotel. How smiling is the landlady ! how obsequious is Boniface ! how active are the waiters ! And yet perhaps the owner of this equipage is an eldest son, who, by the law of primogeniture, has disinherited his brothers and sisters of their share in the patrimonial estates, and purchased the glare of heartless splendour by sacrificing the best feelings of humanity. How hollow is such a state of things ! How seldom do we ask the question, " How live the tenants of this monopolizer,—those tenants whose labour provides him with his luxuries ?" Pity it is that this question is not constantly asked, and the consequences of the answer well weighed. Men would then begin to doubt the boasted excellencies of our matchless constitution, and thus make a most important step to sound political knowledge.

How strange and inconsistent does it appear that, in a Christian community professing implicit confidence in revelation, almost the whole

people should act towards each other on principles which that revelation expressly condemns, worshipping a Dives and spitting on a Lazarus ! We have erected a temple to Mammon, and daily offer sacrifice on his altar. Genius, virtue, industry, and patriotism, are held of small account, unless accompanied by a large rent-roll. As in the theatre, the gaudy decorations of melo-drama have almost banished Shakspeare from the stage, and extinguished legitimate tragedy and comedy, so, in the tone and structure of society, men are rather ruled by their eyes than their reason. We too much resemble in our tastes the audience of Rome, described by Horace, who clapped their hands and strained their voices, not in admiration of the great Roscius, but solely on seeing an actor advance upon the stage, arrayed in splendid habiliments, but who had not opened his lips. It was the tinsel alone which they admired.

Dixit adhuc aliud ? Nil sane. Quid placet ergo ?
Lana Tarentino violas imitata veneno.

If this blind deference paid to wealth and titles be productive of evil, so far as it breaks the community down into castes, creating insolence on the one hand and servility on the other, the consequences of it are still more hurtful in a political point of view. In the peerage, it has established a race of hereditary legislators, whose interests are directly opposed to the general prosperity of the nation, and who are empowered to make laws for the benefit of their own order, however repugnant those laws may be to the wishes of the people. In the House of Commons, wealth again rules lord of the ascendant, for both the electors and the elected are bound by law to possess a qualification measured in gold. In the army, the same spirit of Mammon prevails, for a fool or a coward may purchase military rank, while a poor veteran must remain for life a subaltern.

If we look at the composition of the peerage, we find it composed of men selected from three classes of society, lawyers, soldiers and sailors, and monied individuals. But men of literature and science, whose writings and whose inventions have benefitted the world, are positively excluded from rank, on account of their poverty. It was thought a wondrous condescension on the part of the crown to confer a baronetcy on Sir Walter Scott, although he did more good to the human race than all the kings who have swayed the English sceptre. The improvements made by Mr. Watt in the steam engine have accelerated civilization in a ratio quite incalculable, but had he been raised to the peerage, Grosvenor Square would have gone into deep mourning. But there was no need of apprehension on that score: he was a mechanic, and possessed a rare genius,—two all-sufficient reasons to exclude him from the higher honours of the state.

An order of hereditary nobles, possessing legislative power as the

adjunct of birth, and enjoying other exclusive privileges, is incompatible with the liberty and welfare of a state. Their numbers being few, they can easily combine, and frustrate the wishes of the commons and the king. Possessing enormous revenues, and never feeling the pressure of want, they can have no sympathies with the working classes, and cannot believe in the extremity of distress which others are doomed to experience. With some rare exceptions, they either imbibe habits of insolence or tyranny, or sink down into sensuality and lasciviousness. They have no motives to labour, and thus scorn a tradesman. Wearied with satiety and idleness, they become the patrons of pugilists, or jockeys, or gamblers, for some stimulus they must have, but they become too depraved to delight in the stimulus of virtue. They starve their tenants, to make themselves ridiculous on the continent; and leave their proxies at home, to wither the just hopes of an industrious and over-taxed people. Their conduct gives a general tone to society, and their example is imitated by the public. A nation thus gradually gets steeped in vice, and its constitution is subverted by its moral turpitude. So fell imperial Rome. Or the contrary effect may be produced. The people may at last revolt and kick down the idols whom they had worshipped. So fell the dynasty of Capet, for Louis XVI. was an expiation and a sacrifice for the sins of his aristocracy.

Nor are these the only evils attendant on an order of nobility. It can only exist, when supported by money, and that article can only be perpetuated in a family by the law of primogeniture, a law abhorrent in the sight of God and man. How horrible is the idea of making what is vulgarly called "an eldest son!" Does it not amount to an abandonment of the rest of the children? If then noble fathers and noble mothers can thus desert the offspring of their own loins, and consent to leave their daughters destitute, how can the people expect from them a single act of common justice or common humanity? If the heart be seared in its first, and dearest, and holiest affections, and paternal duty and motherly tenderness be dried up in the very fountains of natural love, how can you, mechanics and tradesmen, hope to receive pity or aid from those who have immolated their own flesh and blood on the altar of false pride and unhallowed ambition? As long as this state of things continues, your child can never rise in the army, or navy, or in civil departments, for these higher grades must be reserved to feed, clothe, and house the rejected juniors of aristocratic families. Talk of reform, indeed! This is the reform the people want—the repeal of the law of primogeniture—a law which pauperizes millions to confer unbounded surpluses on a few hundred houses!

It may not be unprofitable to notice the distinction which the law makes between property in land and property in intellect. The former may be transmitted from generation to generation; but not so the latter.

If a man of science invent a new machine, and secure an ownership in it by patent, that ownership is lost after the lapse of fourteen years. If a man of literature compose an instructive work, on which he may have expended years of labour, his copyright only ensures to him for fourteen years, so that if he dies during that term, his family have no benefit after its expiration ; and even if he should survive that period, he has only an interest for a second term of fourteen years. Now, if any thing deserves the name of property, it is certainly the offspring of a man's own brains ; and if inventions and writings had been perpetuated in families, we should have had the descendants of our poets, and historians, and philosophers, as wealthy as the aristocracy of dirty acres ; but that would not have suited their purpose ; and, as they make the laws, they, of course, paid no attention to the welfare of the posterity of men, who had aided in the improvement of the arts, the development of the mind, and the civilization of society.

The erroneous notions which have hitherto prevailed concerning distinctions of rank, must soon fall before the spread of education. Time was when the profession of arms was alone honourable, and when trade was deemed a degradation. The chevalier thought it praiseworthy to seize with a rude hand that wealth which he disdained to acquire by peaceful industry, and the spirit of the feudal age pardoned the robbery out of respect to the knightly character of the robber ; for the golden spurs covered a multitude of sins. What the knight of antiquity took by force, the modern peer takes by legislation ; for his Order compels the mechanics to eat dear bread, by virtue of the corn bill, that the splendour of an aristocracy may be supported. Thus is a deadly blow struck against trade, for the sake of the most useless and the smallest section of society. May the modern peerage soon experience the fate of their knightly predecessors, and be deprived of their unjust and exclusive privileges. If they like the trinket of a title, let them please their follies with the bauble ; but let them no longer retain the power of making laws for their own caste, to the injury of the public welfare.

DON PEDRO AND DONNA INEZ DE CASTRO.

THERE are but few personages recorded in history, who have been oftener celebrated by dramatic writers than this princess. There have been no fewer than five tragedies composed from her piteous narrative ; to wit, two in English, one in French, one in Spanish, and one in Portuguese. The last, perhaps, approaches the nearest to the truth of history, and is not inferior in point of poetical merit. The author, Senhor Nicolo Luis, had no occasion to resort to fiction to heighten the passions of an audience, as the simple facts are sufficient to fill up all the senses of pity

and terror, and to show to what lengths love and revenge are capable of transporting the human mind.

The subject of this tragical piece is as follows. Don Pedro, son of Alonzo the Fourth, king of Portugal, and heir apparent to the crown, having fallen in love with a lady of the court, named Donna Inez de Castro, thought he could not share the crown which awaited him with a more amiable person. She united to all the charms of beauty, the most graceful and accomplished manners. The prince, waiving all considerations of birth and fortune, was privately married to her by the bishop of Guarda.

Notwithstanding the nuptials were performed with all the secrecy imaginable, yet they reached the king's ear, who had determined that Don Pedro should marry a daughter of the king of Castile. He questioned him as to the truth of the report; but, knowing his father's arbitrary disposition, the prince deemed it prudent then to conceal the fact.

The nobility also had intimation of the marriage, and the preference given to Inez had awakened their jealousy. Hence they took every opportunity of representing her as a woman of the greatest ambition, and pretended that very fatal consequences were to be apprehended from such an alliance: they also condemned the prince as a rash and disobedient son.

The king, who was a man of weak understanding, gave ear to their calumny, and they worked upon his passions to that degree that he resolved to murder the unfortunate princess. Accordingly he set out to perpetrate the horrid deed, accompanied by three of his courtiers, and a number of armed men.

Donna Inez resided at this time at Coimbra, in the palace of Santa Clara, where she passed her time in the most private manner, educating her children, and attending to the duties of her domestic affairs.

The prince, unfortunately, was absent on a hunting party, when the king arrived. The beautiful victim came out to meet him, with her two infant children, who clung about his knees, screaming for mercy. She prostrated herself at his feet, bathed them with tears, and supplicated pity for her children, beseeching him to banish her to some remote desert, where she would gladly wander an exile with her babes.

The feeling of nature arrested his arm, just raised to plunge a dagger into her breast. But his counsellors urging the necessity of her death, and reproaching him for his disregard to the welfare of the nation, he relapsed into his former resolution, and commanded them to dispatch her! at which order they rushed forward, regardless of the cries of innocence and beauty, and instantly struck off her head.

Soon after this horrible transaction the prince arrived; but, alas! found those eyes which were wont to watch his return with fond impatience, closed in death. The sight of his beloved Inez weltering in her gore, filled his mind with distraction, and kindled into flames every spark

within his soul. In all the agony of rage, he called aloud on the avenging hand of heaven to punish those monsters who had deprived him of all he held dear upon earth.

As soon as her remains were interred, he put himself at the head of an army, who sympathized with his distress : they carried fire and sword through the adjacent provinces, and laid waste the estates of the murderers. The royal troops could not withstand their impetuosity : they fled at the appearance of the gallant avengers of innocence. But the king, wretched man ! could not fly from himself ; the cries of his grandchildren still echoed in his ear, and the bleeding image of their unfortunate mother was constantly before his eyes. Death at length commiserated his situation ; and he expired full of repentance for his accumulated crimes. He was an undutiful son, an unnatural brother, and a cruel father.

The prince now ascended the throne, being in his thirty-seventh year. He no sooner obtained the power, than he meditated to revenge the death of his beloved Inez. The three murderers, namely, Pedro Coello, Diego Lopez Pacheco, and Alvaro Gonsalvez, had fled into Castile, previously to the death of the late king. The prince ordered them to be tried on a charge of high treason, and being found guilty, their estates were confiscated. Next he contrived to seize their persons, by agreeing with the king of Castile, that both should reciprocally deliver up the Portuguese and Castilian fugitives, who had sought protection in their respective dominions. Gonsalvez and Coello were accordingly arrested, and sent in chains to Portugal ; Pacheco escaped into France.

The king was at Santarem when the delinquents were brought to him : he instantly ordered them to be laid on a pyre that was previously constructed, contiguous to which he had a banquet prepared. Before the torch was kindled, and whilst they agonized at every pore under the most lingering tortures, their hearts were cut out, one at his breast, the other at his back. Lastly, the pyre was set in a blaze, in presence of which he dined, whilst they expired in the flames.

Having thus far appeased his insatiable thirst for revenge, he ordered his marriage with Donna Inez to be published throughout the kingdom ; then her body was taken out of the sepulchre, covered with regal robes, and placed on a magnificent throne, around which his ministers assembled, and did homage to their lawful queen.

After this ceremony, her corpse was translated from Coimbra to Alcobaca, with a pomp hitherto unknown in the kingdom ; though the distance between those two places is fifty-two miles, yet the road was lined on both sides all the way, with people holding lighted tapers. The funeral was attended by all the noblemen and gentlemen in Portugal, dressed in long mourning cloaks ; their ladies also attended, habited in white mourning veils.

The cloud, which the above tragedy cast over the mind of Don Pedro, was never totally dispersed ; and as he lived in a state of celibacy during the remainder of his life, agreeably to a vow that he had taken, there was nothing to divert his attention from ruminating on the fate of his beloved spouse. The impression her death made on him was strongly characterized, not only in the tortures he inflicted on his murderers, but also in many acts of his administration, which, from their severity, induced some to give him the appellation of Pedro the Cruel ; by others he was called Pedro the Just ; and, upon the whole, it appears that the last title most properly appertained to him.

PRINCE MENZIKOFF.

CATHERINE, whose ascent to the throne of Russia was owing to the affection of Peter the First, died on the 16th May, 1727; and Peter the Second, as lawful heir to this vast empire, succeeded in course. This prince was born in 1715, from the marriage of the Czarewitz with the princess of Wolfenbuttle. He was but eleven years and a half old at his accession to the crown; upon which consideration, Catherine had, in the second article of her will, ordered that he should be under the tuition of a regency constituted of the princesses her daughters, Anne and Elizabeth,—of the duke of Holstein, husband of the princess Anne,—of the prince of Holstein, bishop of Lubeck, contracted to marry the princess Elizabeth,—and of the members of the council of state, which at that time consisted of six persons, until he had accomplished his sixteenth year. The council of state was composed of the following members: the Prince Menzikoff, the High Admiral Apraxin, the High Chancellor Count Golowskin, the Vice Chancellor Count Osterman, the actual Privy Counsellors Prince Demetrius, Michelowitz Gallitzin, and Basilus Loukitz Dolgorucki.

This regency never assembled in a body but one single time, which was on the day when the empress Catherine died, when nothing was done but to ratify the will, which was broken in two hours afterwards: for it was therein expressly ordered, that all affairs should be decided by a plurality of votes. This by no means suited Prince Menzikoff, who meant to be sole arbiter and master of affairs, insomuch so that the others were only to obey his orders.

It was easy for him to succeed in this design, no one daring to oppose whatever he resolved upon without risking his ruin. He had immediately, on the death of Peter the First, got the whole power into his own hands; and, in order to maintain himself in it, he had disposed the empress Catherine to accept one of his daughters for spouse to the emperor. She had made an article of this in her will, and Menzikoff, to prevent any one's access to the emperor without his leave, made him be lodged in his own palace, from the very day of the decease of the empress; and this while the duke of Holstein and his ministers were amusing themselves on the noble stroke they thought they had struck, in making the regency be given to them by the will of the empress Catherine, for it was in this light they considered this arrangement. The duchess, being at the head of affairs, and having the presidency of the council, they imagined they should have all the votes at their disposal; but Menzikoff, more alert and dexterous than they, had taken early care to the contrary.

It was in Russia a custom, at every change of reign or of ministry, to set free some prisoners of state. Peter the Second, not to be wanting in such a point, gave orders for the enlargement of his grandmother, the Empress Eudoxia Feodorowna Lapouchin, whom Peter the First had divorced, and confined to a convent in 1696; he gave her a court proportioned to her rank, and invited her to Petersburg. But this princess, having a strong aversion against this city, and not finding the ministry pliable enough to give her any share in the government, resolved to remain at Moscow, where she lived in retirement. The family of the Lapouchins, near relations to that empress, were also recalled from the exile in which they had been for several years.

These acts of grace had been carried against the inclination of Menzikoff, at the suggestion of some of the members of the council, who had found means to soften the young monarch in favour of his grandmother, and of her near relations, and had persuaded him to insist on her release from imprisonment. Though all this was not very pleasing to Menzikoff, he durst not however openly oppose it, but endeavoured to prejudice the emperor against all the leading men who were not the creatures and tools of his ambition; not enjoying a moment's rest, in the fear of having ill offices done to him, being sensible that he was detested by the whole nation.

Some of the nobles had already, in the preceding reign, entered into a combination against him, and wanted the empress to remove him from her councils. They, who had projected this disgrace, had been employed by Peter the First in the affairs of the Czarewitz, and were afraid of the revenge of Peter the Second, in case of his coming to the throne, for the ill-treatment which his father had received. They tried then to persuade Catherine to send the young prince to foreign countries to pursue his studies; having resolved, that if the empress should chance to die while he was absent, to exclude him from the succession, and raise the Dutchess of Holstein to the throne. For the compassing this object, they had availed themselves of the absence of Menzikoff in Courland; and for fear that he should disconcert their designs on his return, they had plotted to give the empress bad impressions of him, in which they had so far succeeded, that her majesty had actually signed a warrant for putting him under arrest before he could re-enter Petersburg.

By singular good luck for Menzikoff, the Count of Bassewitz, first minister of the Duke of Holstein, had taken it into his head to support this favorite, and easily persuaded his master to request Menzikoff's pardon from the empress, which was thus obtained. Menzikoff, having returned to the court, was made acquainted with the sinister designs of his enemies against him. He caused a strict search to be made after them, and all the partisans of the house of Holstein were apprehended, and severely punished. Menzikoff's own brother-in-law, a Portuguese, called De Vyeira, and the general Pisarew, underwent the knout; they were banished to Siberia, and their estates confiscated. The privy counsellor, Tolstoy, as well as his son, the General Butterlin, and some others, were also banished to Siberia; the Count Alexander Nariakin, and the General Ouschakow, were respectively confined to their estates. It was said that the Count Bassewitz, who, by an over-confidence in Prince Menzikoff, had communicated to him the overtures made him by some of the great men of the court, touching their partial dispositions in favour of the Dutchess of Holstein, had furnished Menzikoff with the occasion, of which he instantly availed himself, of breaking all their measures. The others, who still remained attached to the court of Holstein, were extremely intimidated at these disclosures; and conceived, at the same time, not only a great distrust, but a great contempt for Bassewitz.

But Prince Menzikoff was not satisfied with their being punished at that time, and was determined to preserve the memory of their disgrace to all Russia, so as to strike terror into any other of his enemies. Accordingly the council of state issued a proclamation, by which solemn warning was given against any such dangerous conspiracies, under the penalty of being punished with the severest rigour. The edict was signed on the 6th June, and on the same day were celebrated the espousals of

the young emperor with the daughter of Menzikoff. Her father then imagined himself on the pinnacle of earthly felicity. There remained for him the execution of but one project more to set him above all danger. He wanted to marry his son to the grand dutchess, Natalia, sister to the emperor; in virtue of which, he was to transmit the throne of Russia to his posterity. The plan was not badly conceived; but it failed of accomplishment. In the mean while, he got himself declared generalissimo by sea and land.

The Duke and Dutchess of Holstein were now the only personages that gave umbrage to Menzikoff, who was afraid lest the dutchess should form a new party, that might oppose his vast designs. He at the same time imagined, that, after their abandoning the field to him, no one would dare to stir. On a sudden, then, he ceased to keep any measure with them; so that, throwing in their way every kind of difficulty and disgust, he constrained them, at length, to leave Russia. Their departure, however, did not lessen the number of his enemies; the truth is, that he had drawn upon himself the universal hatred of the nation. He had taken the precaution to place in attendance about the emperor none but his own creatures, and such as owed their fortune to him; but as he had directly counteracted the views, and shocked the feelings, of all the ancient families, and as, among those whom he could not well debar of access to the emperor, there were some who saw with pain their relations in exile, they seized an occasion of making the young prince remark, that Menzikoff was exercising a perfect despotism, which he was hoping still more to confirm, by the consummation of the emperor's marriage with his daughter; that, in short, to judge by his repeated displays of ambition, he might take it into his head to attempt ascending the throne himself. They, at the same time, earnestly entreated the emperor to keep the secret, which he promised; and he actually did dissemble, till he found a fair occasion for venting his resentment; Menzikoff soon furnished it, by an act of the most giddy and unreflecting imprudence.

The company of masons had made a free gift to the emperor of nine thousand ducats. This prince having a wish to give his sister this present, sent her that sum by one of his gentlemen; who, being met by Menzikoff, was asked by him, where he was going with that money: the gentleman told him: the other replied, "the emperor is too young to know how to dispose of money; carry it to my apartments; I will take an opportunity to speak to him of it." The gentleman, who knew how dangerous it was to oppose the will of Menzikoff, did not fail to obey him. The next day, the princess, sister to the emperor, came to pay him a visit, according to custom. She was no sooner in the room, than he asked her, if the present he had sent her was not worth a compliment of thanks. The princess naturally answering that she had not received any thing, the emperor flew into a great passion. The gentleman was called, and being asked by him what he had done with the money given him to carry to the princess, was obliged, in his own defence, to say that Menzikoff had taken it from him. But this only the more irritated the emperor, who ordered Menzikoff to be sent for, and, when he came, demanded of him in a great rage, how he came to have the boldness to hinder his gentleman from executing his orders? The prince, who was not used to hear the emperor speak to him in that tone, was thunderstruck. He answered, however, that it was very well known that the state wanted money; that the treasury was exhausted; and that he had proposed that

very day to present a project of the manner in which the sum might be more usefully employed. He added: "If, however, your majesty commands it, I will not only cause to be returned the nine thousand ducats, but advance you a million of rubles out of my own purse." The emperor was far from pacified by this answer; but, stamping with his foot, said, "I will make you know that I am emperor, and that I will be obeyed." Then, turning his back upon him, he quitted the apartment. Menzikoff followed him, and, at length, with much difficulty, appeased him for that time; but this calm did not last long.

A few days afterwards, Menzikoff fell dangerously ill. This gave his enemies time and opportunity to ensure his ruin. The Princess Dolgorucki, and especially the Knez Iwan, whose great favour was beginning at that time, prevailed so as entirely to alienate from him the mind of their master. Menzikoff was not ignorant of these cabals against him, nor of the decline of his credit; but he hoped soon to recover his former degree of influence, and to over-awe the emperor by that tone of authority which he was accustomed to assume. As soon, however, as Menzikoff was recovered, he committed a fresh fault in going to his country house at Oranjenbaum, which was about two miles from Peterhoff, whither the court had removed during his illness. He had there built a chapel, which he proposed to have consecrated. The emperor and all the court were invited to attend the ceremony. But his enemies, who had too much cause to dread his revenge, in case of his reconciliation with the emperor, persuaded the sovereign to excuse himself, under pretence of indisposition. He followed their advice; and yet, for all that, Menzikoff did not apprehend that this betokened his entire disgrace. He had even the imprudence, during the festival, to seat himself on a kind of throne which had been placed for his majesty. His enemies did not fail to make the most of this circumstance, which contributed to determine his fall.

The same evening Menzikoff repaired to Peterhoff, where he did not find the emperor, who had been out hunting. He addressed himself to Count Osterman, with whom he had a conversation, full of acrimony, and even accompanied with high words. He remained that day and the next at Peterhoff; but the emperor not returning, and all countenances being frozen to him, he took the resolution of going to Petersburg; probably he thought he should be more formidable in the midst of the court. In fact, being arrived at the capital, far from acting the disgraced courtier, he employed the whole morning in going the round of the colleges, and giving orders every where. He regulated particularly the reception intended for the emperor in his palace, where he imagined he would continue to lodge; but towards noon, General Soltikow came, with an order to remove from his palace the king's furniture, and carry it to the imperial summer palace. This was a thunder-stroke to him, at which he lost all presence of mind; but what shocked him most was, the sending back the goods and furniture of his son, who, in quality of high chamberlain, was to lodge officially near the emperor. In this confusion of head he fell into another fault, that of sending into quarters the regiment of Ingermanland, which, for his safety, he had ordered to encamp on the island of Wasili Astrow, at a small distance from his palace. This regiment, of which he had been colonel from the first of its being raised, was entirely devoted to him; and it is certain that it had impressed his enemies with great awe of their commander.

In the evening, the emperor returned to Petersburg, and General

Soltikou was once more employed on a message to Menzikoff, by which he announced to him an order of arrest. His wife and children repaired immediately to the summer palace, to throw themselves at the feet of the emperor, but they were refused admittance. Meanwhile, Menzikoff was made to believe that he would be only deprived of his offices; that he would nevertheless have all his fortune left him, and that he would be permitted to pass the remainder of his days at Oranjenburgh, a pretty town on the frontiers of the Ukraine, which he had built, and in some degree fortified. In fact, the free disposal of his goods and fortune was left to him, while he remained at St. Petersburg; and when he went out of it, his retinue had not in the least the appearance of the followers of a discarded minister. He was accompanied by his whole family, and a great number of domestics; and, from the manner in which he was treated on the first days of his journey, it did not appear that there was any intention to do him more hurt. But, on his arrival at Twcr, a town situate on the road between Moscow and Petersburg, he there found an order for all his effects to be sealed up, and nothing more to be left him than bare necessaries. His guard was doubled, and he was more narrowly watched during the rest of the journey. Scarcely was he arrived at Oranjenburgh, when there were sent to him whole reams of complaints made against him for grievances. These were instantly followed by commissaries, who proceeded to his trial. He was condemned to pass the rest of his life at Berosowa, situate on the most distant frontiers of Siberia. His wife, blind with weeping, died by the way; the rest of his family followed him into exile. He bore his misfortunes with more firmness than might be imagined; and from being full of gross humours, with a bad habit of body, he recovered health and plumpness. There were allowed him ten rubles per diem; a sum which not only sufficed for his wants, but left a surplus out of which he built a church, at which he himself worked hatchet in hand. He died in November, 1729, of a repletion of blood; because there was not one person to be found at Berosowa, who knew how to open a vein.

The general opinion on the origin of Menzikoff, is, that his father was a peasant, who had placed him at Moscow, with a pastry-cook, and that he carried about little pies, singing along the streets; that the Emperor Peter the First, having stopped to speak to him, he had pleased him with the wit and liveliness of his repartees. Upon this he put him servant to Mr. Le Fort; thence he took him about his own person, and by degrees made his fortune. Others again say, that his father was an officer in the service of the Czar, Alexis Michaelowitz, and that, as it was not in those days extraordinary to see gentlemen serve in the stables of the Czar, Menzikoff had also been employed in them, in quality of one of the head grooms; that Peter, having often spoken to him, had taken notice of the wit and shrewdness of his answers, and placed him as a more immediate attendant on himself; when, observing great talents in him, he had, in few years, raised him to the first posts in the empire. I have always thought the first of these opinions the nearest to the truth; for it is certain that he was of obscure birth, and that he commenced his career as a common servant; after which the emperor placed him as a private soldier in the first company of regular troops, which he raised under the appellation of *Preprovojdienie*, a word signifying "for amusement." Peter the First having thence taken him about his person, gave him his entire confidence, in such a manner, that, on many occasions, Menzikoff

governed Russia with as much despotism as his master. His credit had, however, been greatly diminished, during the last years of the reign of Peter the First, and it was believed, that, if that emperor had lived some months longer, there would have been great changes at court and in the ministry.

The character of Menzikoff may be thus impartially sketched. He was strongly attached to his master, and the maxims of Peter the First, for civilizing the Russian nation; neither did he behave ill to those who showed submission. He treated all his inferiors with gentleness, never forgetting a service done him. Brave withal, he gave, on occasions of the greatest danger, incontestable proofs of personal courage. Wherever he had once formed a friendship, he continued a zealous friend.

On the other hand, he was inflamed with a boundless ambition; he could not endure a superior or an equal, and yet less any one whom he suspected of pretending to surpass him in understanding. His avarice was insatiable. He was an implacable enemy. He did not want for natural wit; but, having no education, his manners were coarse. His inordinate love of money had led him into several disagreeable explanations with Peter the First, who had sometimes condemned him to pay arbitrary fines; notwithstanding which, there was found, after his imprisonment, the value of millions of rubles, in jewels, plate, and ready money.

He had a son and two daughters: she who had been betrothed to the emperor died, before her father, in exile; the other was married, under the reign of the Empress Anne, to General Gustavus Biron, brother to the Duke of Courland, and died in the beginning of the year 1737. - The son became a major in the guards.

Menzikoff, who, from the lowest condition, had been raised to the highest station of life, would have finished his career with honour, had he not been so infatuated with ambition as to seek to place his posterity on the throne. It was the same rock against which most of the favourites who followed him have struck, and sunk like him.

EXTRACTS FROM THE CONSPIRACY OF COUNT FIESKO, AT GENOA.

(From the German of SCHILLER.)

ACT II.—SCENE.—Antechamber in Fiesko's Palace.

FIESKO. (*solus.*)

(*Lost in deep thought, paces the apartment.*)

What a tumult in my breast! What a host of ideas flying in secret through my brain. Like villainous associates, bound on the execution of some black deed, skulk noiselessly on tip-toe through the night, casting their suspicious and guilt-flushed countenances to the ground—so do these gorgeous phantoms steal past my soul. Stay! Stay! Let me hold the candle to your faces. Pure thoughts arm men's hearts and stand forth bravely in the light of day. Ha! I know you! You wear the livery of the eternal liar. Vanish! (*another pause, then with more animation.*) REPUBLICAN FIESKO? DUKE FIESKO? This is the yawning precipice which marks the boundaries of virtue, and separates heaven from hell. At this very point, heroes have lost their footing and sunk into the dire abyss, leaving the world to heap curses on their names. At this very

point, heroes have hesitated, have halted in their career, and have become demi-gods. (*With increasing energy.*) That the hearts of Genoa should be mine? That this same redoubtable Genoa should suffer itself to be led hither and thither like a child by my hands? O, fie on the crafty sin which stations an angel before every dæmon. Luckless desire for towering greatness! Most ancient of man's unbridled passions! Angels on thy neck kissed heaven away, and death sprung from thy labouring body. Thou sangest angels to slumber with the Siren-voice which warbles the beguiling song of endless sovereignty. Thou anglest for men, and thy baits are gold, women, and crowns! (*after a pause of deep reflection.*) To gain a diadem, is GREAT—To spurn one, is DIVINE. (*resolved*) Down with thee, tyrant! Be free, Genoa! and let me (*with a soft and melting expression*) be thy HAPPIEST citizen.

ACT III.—SCENE.—A Saloon in Fiesco's Palace; in the back ground, a large glass Folding Door, which opens on an extensive prospect of the Sea and the city of Genoa.—Time: dawn.

What is this? The moon vanished. The morn rising in fiery splendour from the ocean! Wild revelling fantasies have startled up my sleep, and whirled my whole being round one single sensation. I must seek my soul's expansion in the open air, (*he opens the glass door. The city and the sea glare in the flaming brilliance of the morning sky.*)

That I should be the greatest man in Genoa, and that the inferior spirit should not assemble under the greater? But I violate the laws of Virtue! (*stops short.*) Virtue? The man of exalted mind is exposed to temptations, very different from those which beset him, of a mean and less refined character. Should the one be obliged to share virtue with the other? Ought the armour which compresses the puny frame of the pigmy, to be adapted to the huge body of the giant?

(*the Sun rises*)

This majestic city (*hastening with extended arms towards it*) MINE! and to rise above it in fiery brilliance like the imperial day—to brood over it with the power of majesty—to immerse the never-sated wishes of man in this bottomless ocean! Doubtlessly! For though the rogue's wit ennobles not the roguery, yet doth the prize gained ennoble the rogue. It is base—it is disgraceful to empty our neighbour's full purse—'tis audacious to cheat our fellow-creatures of millions—but it is ineffably great to filch a crown. The disgrace *diminishes* as the sin *increases*. (*Pause.—Then with deep expression*) TO OBEY!—TO COMMAND! Immense and dizzying is the chasm between. Cast into it every thing that man deems precious—your mighty victories, ye conquerors—your immortal works, ye sons of genius—your voluptuous delights, ye epicures—your seas and islands, ye circumnavigators! TO OBEY!—TO COMMAND! TO BE, AND NOT TO BE! He that can leap over the sickening gulf which lies between the lowest Seraph and the Eternal on his loftiest throne, may also be able to bound over the immeasurable space between OBEYING and COMMANDING. (*with noble action.*) To stand upon that majestic and terribly sublime height—to look down with haughty petulance upon the raging whirlpool of humanity, where the wheel of the blind and deceptive goddess rolls destinies round with capricious witchery—to be the first lip that may touch the goblet of joy—from my vast eminence, to guide as with leading-strings the mail-clad warrior Law—to see, far beneath me, deep wounds inflicted with impunity, whilst the short-armed fury of justice thunders impotently at the iron gates of majesty—to curb, as if they were so many stamping

steeds, the indomitable passions of the multitude with the easy play of the reins—to prostrate in the dust the seditious pride of my serfs with one, one single breath, when the creative wand of royalty chooses to rouse even the DREAMS of royalty's fever to life. Ha! what brilliant picture is this that sweeps my astounded spirit in giddy whirls beyond its limits? The being but one moment king, has swallowed up the entire marrow of my existence. 'Tis not the PLACE of life's conflicts, but what it CONTAINS, that fixes its value. Split the thunder into separate syllables, and you may lull children to sleep with it, melt the syllables together again into one sudden, single peal, and the majestic sound will convulse the eternal heavens. I am resolved! (*He walks to and fro with an imperious and majestic mien.*)

J. D. PIERCEY.

SKETCHES OF GUERNSEY.—No. 1.

It must be obvious to our local readers that this article, as well as others that may succeed it on the same subject, is not so much addressed to them as to our readers in England. We are not aware that full justice has ever been rendered to the people of the Channel Islands in any publication that has yet appeared, and feeble as our efforts may be, they shall be exerted to make these countries better known, both in reference to their customs, manners, laws, and institutions. Moreover, when so many of our countrymen are compelled to quit England for the sake of economy and the purpose of educating their children, and to seek a retreat in France, it may be no unprofitable task to point out the advantages of a residence in Guernsey. Before, however, entering into details and particulars, it is important to allude to the illiberal prejudice which formerly denounced the inhabitants of the Channel Islands as a nest of smugglers and privateers, a prejudice which, it is to be feared, is not yet totally obliterated.

It is undoubtedly true that, during the war, Guernsey fitted out an extraordinary number of privateers and letters of marque, and captured very many valuable prizes. Is this any reproach to her people? Quite the contrary. If her merchants risked their money, and her sailors hazarded their lives, surely they were fairly entitled to recompense for their spirit and enterprise. If they benefited themselves, did not Great Britain, the mother country, also derive advantage from the injury done to the common enemy by the armed vessels of the Channel Islands? We have by us some materials on which to found a calculation of the comparative services of the ships of the Channel Islands compared with those of some sea ports in England, which we propose, at some future date, to give to the public; and then it will be proved that Guernsey and Jersey, so far from being obnoxious to reproach for privateering, are entitled to the highest praise for the vigour, courage, and perseverance, with which they assisted in the destruction of our French and American opponents.

As to smuggling, in its literal sense, the charge is unfounded. English boats, it is true, came to our harbours, and purchased spirits of our merchants, and paid down cash; and there the transaction ended. But if smuggling be a crime, which we do not admit, for it has its good as well as its evil side, by preventing over-taxation, which it defeats, then all the sea port towns are as guilty as St. Peter's-Port or St. Héliers. If this were not the fact, why did government, in addition to revenue cruisers, establish a coast blockade, and increase the rigorous scrutiny at the custom-houses? Surely, then, it is the height of ignorance and prejudice to condemn Guernsensem and Jerseysmen for doing, on a small scale, the very

acts which the people of England have done on a large scale, and which they are doing to this very hour However, all these things have passed away and exist no longer, and we must, in candour, look at the islands as they now are.

COMMUNICATION WITH ENGLAND AND FRANCE.

During the war, and for some years afterwards, the communication between the islands and the mother-country was precarious and uncertain, the passage then only being accomplished by sailing vessels, and, on one occasion, an interval of seven weeks elapsed, without the reception of a single mail. Far different is the case at the present moment. The government steam packets, with the mail, arrive at the islands, and return to Weymouth twice a week. The same facility is afforded to and from Southampton, in about twelve hours : and once a week, during the summer months, there is a steam communication with Plymouth. Independently of these vessels, there are two regular sailing packets to Southampton ; one to Plymouth ; three to Brixham ; and two to Bristol. In the summer months, the Southampton steam boats run twice a month to St. Malo and Granville, thus affording great facilities to persons visiting the south of France ; in addition to which, two sailing vessels run all the year to Cherbourg, and four to St. Malo. One of the results of these arrangements is to make the islands of Guernsey and Jersey a much more desirable residence to English families than they formerly were. The London newspapers arrive in forty-eight hours, and sometimes in less time ; a letter on business, forwarded to the capital, is sure to be answered in eight days ; and if matters of importance demand an immediate journey to the metropolis, it may be certainly accomplished within twenty-four hours, at an expense of three pounds. So much, then, on the point of easy and cheap communication.

GENERAL VIEW OF GUERNSEY.

The chief town of Guernsey, St. Peter's-Port, and the suburbs, can vie in beauty and cleanliness with any provincial town in England, and is, in these respects, infinitely superior to the majority of those in France. The streets, though not wide, are well paved with granite foot-paths, and the carriage way is of the same material. Shops of every description, supplying the very best articles, abound, and many of those in High-street are surpassed by none out of London. The meat and fish markets are most commodious, and the latter, in particular, is the admiration of all visitors. The national school-room is a noble building, and the court-house does not fear a comparison with any department of Westminster Hall. The environs of the town are studded with elegant mansions, surrounded with beautiful gardens, exhibiting a sound judgment and a correct taste. In no spot are fruits and flowers more choice and more abundant, and in consequence of the cheapness of glass, almost every cottage possesses a green-house. The country is intersected with admirable macadamized roads, so that an unbroken line of communication connects the town with the rural parishes, while cross roads unite the parishes with each other. And yet there are no such nuisances as turnpikes. They who are fond of sequestered walks, may gratify their taste in the green shady lanes which embellish the interior, or while away the hours in contemplative musings in the lovely and romantic bays which diversify the scenery of the coast.

PAROCHIAL INSTITUTIONS.

Two establishments, called the town and country hospitals, exist in the island, to which all persons are sent, who, for any reason whatsoever, are unable to obtain an honest livelihood. In these refuges are to be found females who would otherwise be living by prostitution—the habitual drunkard—the lunatic—the orphan—all have here an asylum, and are removed from the temptation and misery to

which they would otherwise be exposed. Nor is this merciful protection confined to the natives: the destitute and unfriended foreigner can here freely obtain medical relief, for it cannot be said that the Guernseyman "against the houseless stranger shuts his door." The inmates work. The men are occupied in weaving cloth, some as tailors, others as shoemakers, &c. The women are principally engaged in washing, not only for the hospital, but for families residing in the neighbourhood, and thus some portion of the annual expense of the establishment is defrayed by the labour of the inmates. The arrangements of the hospitals, and the discipline maintained in them, are excellent; at the same time, the inhabitants are treated with every kindness, are allowed an abundance of good wholesome food, and are well clothed and lodged. Those whose conduct is meritorious, are frequently allowed to visit their friends for a day or so; but if the privilege is abused, and, for instance, if any one returns to the hospital in a state of intoxication, he is not allowed to leave the hospital again for several months. The punishment for insubordination is to work the mill which grinds flour for the hospital. There are schools both for the boys and girls, and a surgeon and a chaplain attached to the institution. The average number of inmates may be computed at eighty men, one hundred and thirty women, fifty-five boys, and thirty-nine girls, and the expense at about two thousand guineas. That our English readers may form some notion of the liberality of the directors of the hospital towards their fellow-creatures, we subjoin the following items of provision for a twelvemonth: 14,526 lb. of beef; 4,084 lbs. of bacon and pork; 471 quarters of wheat; 115 hogsheads of beer; 3,964 lb. of butter; 1400 faggots for firewood; 2,562 gallons of milk; 1,696 bushels of potatoes; 270 lb. of tea; and 991 lb. of sugar. Nor can we omit to notice, in this brief sketch of the hospital, the delicate feelings of the inhabitants generally in the relief afforded to a class of unfortunates here called "*Les Pauvres Honteux*," or modest poor; these are persons who require temporary aid: for instance, a respectable journeyman, owing to a long illness, may be in want of money before he can resume work: such a man is assisted in private, and thus his honest pride is not mortified, nor is his spirit broken. In addition to this, coals are gratuitously given to the poor in winter. Indeed, we speak but the truth, colourless and unexaggerated truth, in declaring that no part of the world exceeds Guernsey in acts of charity and benevolence, and this praise is particularly and most justly due to the ladies of the island, who are constantly seeking out and relieving objects of real misfortune.

MORALITY OF THE PEOPLE.

The population of Guernsey form an eminently religious community. Both the town and the country are amply supplied with churches and chapels, and the attendance of the congregations is regular and numerous. In their mercantile transactions they are proverbially honest, and every commercial traveller, who has visited the island on business, acknowledges the punctuality of the natives in discharging their obligations. They are accused by some, who little reflect on the question, of being parsimonious—this is an error: that they are prudently economical, is certain, but well regulated economy is the parent of all the virtues. Almost every one lives within his income, and accumulates something every year. This discretion is forced on them by the laws of property, for primogeniture is unknown, and thus parents are prompted to hoard a little annually, that their children may not start pennyless in the world. Thus it happens that Guernsey is free from the two extremes of millionaires and paupers. That miserable compound of imposition and real distress—the wandering mendicant—is here unknown. A beggar is, in Guernsey, a being of a past age—a creation of history—a fit subject for the speculations of an antiquary—but too completely covered

with the dust of ancient times for those of the present day to examine. Not only is the island free from beggars, but it is free also from those debasing and unfortunate creatures whom the twilight of evening brings forth from their hiding places, like swarms of moths, to join the giddy dance round the flame that is soon to destroy them. Prostitution, in nine cases out of ten, proceeds from the same source as mendicancy,—want, and ignorance—and where the latter is not found, the former will be rarely met with. Be that as it may, the fact is, that the streets and roads of Guernsey are not disgraced either by the appearance of the beggar or the prostitute.

Almost every family possesses some portion of land, adjoining their home. If it be only a garden, they cultivate fruit and vegetables for the market; if they have also a field, they keep a cow and rear poultry. These articles they consume most sparingly—they are converted into money to pay rent. Soup and salt fish is their principal food; cider, the chief beverage. Their habits are most industrious, the whole family being constantly engaged in agriculture; and when the season for collecting *traic*, the sea weed used for manure, arrives, the women accompany the men in boats, to cut it from the rocks. On this occasion the beaches swarm with the country people, and after their labour they regale themselves, as a great treat, with cake and mulled wine. When they use the *grande querrue*, or large plough, to turn up the earth a great depth, the neighbouring families assist each other with their horses and oxen—an affectionate union of interests and co-operation which unites them in the bonds of social brotherhood. The morality and simplicity of the native Guernsey character is not without its reward. The pictures of want, filth, and crime, which so frequently shock the eye of humanity in England, and which appear to a far greater extent in Ireland, are not to be met with in Guernsey; but in their stead are to be seen the happy signs of abundance, comfort, and contentment. The poor man has his neat little house, is surrounded by his cheerful family, and is under no apprehension that he shall not be able, with moderate labour, to provide a full meal and a comfortable lodging for all who are dependent on him. Burglaries are rarely committed; rick burning is utterly unknown; and the few violations of the law that do occur, are, in the great majority of cases, the acts of runaway vagabonds from England, who here seek a shelter from the arm of justice.

TAXATION OF GUERNSEY.

With the exception of a duty of one shilling per gallon on all spirituous liquors consumed in the island, the whole system of taxation is direct, and regulated on the fairest and most equitable principle. Every person contributes according to his means, not only being assessed for the value of whatever he may possess within the bailiwick, but also for the amount of what he may hold in the British or Foreign funds. It is essentially a tax on realized property, and not upon industry, and it is very trifling. The standard by which it is measured is termed a "Quarter," equal to twenty pounds, and, averaging one year with another, the tax may be computed at sixpence per quarter, or, in other words, it is levied upon the supposed produce or interest, at five per cent., of all tangible property. Thus a person, possessing property worth four hundred pounds, would be rated at twenty quarters, and pay about ten shillings annually. This covers every fiscal demand, and no one is annoyed for poor rate, lighting, watching, paving, window or house tax, and the numerous vexatious imposts which disgust a housekeeper in England. Small, however, as this rate is, no English families, who come here for economical residence, need feel apprehensive at being called upon to pay it. It may fairly be expected from very rich people, who can afford to keep a carriage, and thus do their share to damage the public roads; but persons in moderate circumstances are never assessed.

We shall continue these sketches on a future occasion : but we cannot close the present one without remarking, that Guernsey is not adapted, as a residence, for all classes of persons. People, who are continually seeking after fresh pleasures and exciting amusement, will find this island dull ; but they who are content with moderate enjoyments, and prefer tranquillity to bustle, may here pitch their tents with propriety. The quiet of the place, and the absence of all incentives to dissipation, also render Guernsey a desirable sojourn for an invalid during the summer months. Sea bathing, hot and cold baths, boarding houses, and comfortable hotels, with the advantage of excellent medical advice, may be obtained here, as well as at Brighton or Margate ; and it is a known fact, that many who visit these watering places derive but little benefit from their stay, as they there find, in a miniature form, all the temptations of London, an indulgence in which coupled with late hours and heated assembly rooms, baffles and vitiates all the advantages to be derived from change of air.

THE EASTER CHIEF PLEAS FOR THE YEAR 1836.

DURING the last month, the Chief Pleas for the year 1836 were held at the Court House, where the members of the Court, the Bailiff and Jurats, in presence of the Constables of the different parishes, assemble to pass bye laws and ordinances for the better enforcement of such as exist, and for the enactment of other local regulations, as the public service may require. In Guernsey they are held during the three terms of the Court, at Christmas, Easter, and Michaelmas. The term *Chiefs Plaids*, or Chief Pleas, is derived from *placita*, and signifies enactment or deliberation of some public assembly, whose members formerly possessed the greatest influence. The *placita*, or *plaids*, may be said to have originated *cum senioribus tantum et consiliariis*, with the *seniores*, or *seigneurs*, and their principal advisers. The mode of holding these assemblies, sometimes in private, at others in public ; the different ranks of the members composing them ; the influence exercised by each, whether king, *seigneur*, or plebian, are as various as the characters of the times in which they originated, and continue to offer the fertile and speculative geniuses of modern historians one of the widest fields they can explore. In those days the Chief Pleas were sometimes assembled not only to frame new regulations, but to decide upon the most important cases relative to the rights and revenues of the crown, and also to pass judgments upon their own members, who, possessing among themselves nearly the whole lands and tenements in the country, were the only persons who could present the wherewith to form the basis of a civil action. It will be thus seen that transactions in the Chief Pleas partook of the nature both of a legislative meeting and judicial assembly ; the *seniores* probably discharged the duties of the former, whilst their counsellors were left to manage the latter. In Guernsey, however, things appear to be better managed ; in the present day, the march of intellect has made such astonishing progress, that the Crown Officers, the Bailiff and Jurats of the Royal Court, contrive to fulfil both these arduous duties at the same time, and, singular enough to observe, it was only very recently that one of them has found the cares of office sufficiently "irksome and tedious" to engage him to tender his resignation.

The enumeration of the different measures passed at the last Chief Pleas, and some of the observations made by a few of its members, will give an idea of the nature of the business and the manner in which it is conducted, premising, however, that though the Court and Constables of the parishes are members of the Chief Pleas, the latter seldom or never take any share in them, and it would appear that their duties and rights, though the representatives of the people, are restricted to note down and learn the sage observations made by the legislators, to digest their matured regulations, and to govern themselves accordingly.

The Crown Officers usually present the various projects or ordinances, and the following is the list which, on the 11th April last, was brought forward by the King's Attorney and Solicitor General :—

- 1.—The Crown Officers proposed an ordinance to correct the evils arising from persons becoming holders of *saisies*, and their not paying the creditors of the

saisie, and obliging them to recommence a new suit against the new holder. The principle of the ordinance was much approved, but as some of its details required explanation, a committee was named, composed of the Attorney-General, Messrs. Carré and Le Retilley, Jurats, and Advocate MacCulloch, who will report.

With reference to the first ordinance, which proposes to alter the existing mode of procedure in cases of *saisie*, it must be universally acknowledged that the present system is extremely defective; but we apprehend that very little practical good will result, if the only alteration introduced be the exaction of ten per cent. from the party who declares himself tenant. The change now recommended takes but a one-eyed view of the subject: it favours the strong, at the expense of the weak, and sacrifices the debtor to the creditor.

Before we discuss this question, we shall, for the sake of our English readers, to whom the law relating to real property in Guernsey is unknown, briefly explain what is meant by a "*saisie*." Suppose that A possesses a house or lands, and being in want of money, raises a loan from B, say of one hundred pounds. B registers this claim against the estate of A, by placing it on the books of the Record or Greffe Office, where a regular debtor and creditor account is kept against every estate in the bailiwick. Again, suppose A to borrow further sums at different dates from C, D, and E, all of which are registered in the same manner as the demand of B. If A becomes insolvent, any of his creditors can enter against him the legal process of "*saisie*," the result of which is that he must either pay the demand of the suing creditor, or abandon his property. This process always occupies some months; but when it is complete, the registered creditors are called upon, each in turn, in a retrograde order, to take the estate of the bankrupt, and pay all prior incumbrances, or renounce. Thus: in the case we have supposed, E, being last registered, is first called upon to accept one of two alternatives: either to give up his claim, or take the estate, subject to the payment of the debts due by the insolvent to D, C, and B. If he abandons, then the same offer is made to D, on the same conditions; if he follows the example of E, then C is called upon: and should he also decline, then B becomes possessed of the estate in satisfaction of his debt. As the law now exists, E, after the renunciation of the insolvent, can declare himself proprietor, and still not pay the prior mortgagees, who are thus compelled to enter a fresh process of *saisie*, and thus it is possible that B might have to carry on four law-suits before he could realize his claim. That this is a hardship, no man can doubt; and it is proposed to remedy it by this ordinance, which, in the case assumed, would compel E, on declaring himself proprietor, to pay down ten per cent. on the registered claims of D, C, and B. Surely this is a rich specimen of legislative tinkering! Why ten per cent. should be fixed on in preference to any other sum, it is impossible for us to divine, but we unhesitatingly pronounce this bit-by-bit scheme to be most exquisitely absurd.

It is a common and a just remark, that if it be worth while to do a thing, it is worth while to do it well; and nothing more strongly denotes both weakness and ignorance than half measures. If the existing law is to be changed for the benefit of the first mortgagee, and it is evidently intended for him, and him alone, it would be far better to compel the last incumbrancer to abandon at once, than tempt him to lose, in addition to his own debt, the further sum of ten per cent. on the amount of the previous claims. Many persons might be induced to pay this instalment for the sake of a chance; but still, when the money was paid, a fresh *saisie* might be entered. Is it not, then, far better either to allow the law to stand as it is, or else to change the whole system of *saisie* from beginning to end?

We recommend the committee appointed to take this proposed ordinance into consideration, to look at the condition of the debtor, for the object of law is to protect the weak against the strong. It is a fact well known, that many masons have been induced to build houses, receiving credit for timber, &c., and before they have had time to let their houses and receive rent, the whole has been stripped from them, for the value of only a small portion of the materials—an indirect species of usury of the most villainous description. We beg the attention of the committee to the practice of the English courts of equity on the subject of mortgages, which interpose to prevent the extortion sanctioned by the common law. The words of Blackstone are the following: "Though a mortgage be forfeited, and the estate absolutely vested in the mortgagee at common law, yet they (the courts of equity) will consider the *real value of the tenements compared with the sum borrowed*. And, if the estate be of greater value than the sum lent thereon, they will allow the mortgagor, at any reasonable time, to recall or redeem his estate,

paying to the mortgagee his principal, interest, and expenses; for otherwise, in strictness of law, an estate worth a thousand pounds might be forfeited for non-payment of a hundred pounds, or a less sum."

It is to this broad principle of even-handed justice that we wish to direct the attention of our legislators. How often have we heard persons congratulating their friends on having made a capital hit by taking a *saisie*! And these people call themselves Christians, forsooth! aye, and men of honour, and respectability, and character. Alas! for the standard of morals, when the ruin of a fellow-creature is a subject of joy! Alas! for the purity of religion, when instead of loving their neighbours as themselves, mercenary wretches can be found who glory in having amassed their wealth by the iniquitous perversion of the law of *saisie*! It is a common saying, that fools build houses, and cunning men live in them; and most assuredly no place in the world affords more striking evidence of the truth of the remark than the island of Guernsey.

Assuming, however, that the committee, to whom this ordinance is referred, feel inclined to adopt its provisions, they must decide when it is to come into operation. It would be a flagrant outrage on justice, if it affected any existing interest, or had the least retrospective action. If this danger be not cautiously guarded against, the door will be opened to the most hateful tyranny; for, a precedent once established, laws may be enacted every Chief Pleas just to suit a specific purpose, to forward some personal interest, or injure some particular individual. Nor is this the only evil. There is no power in Guernsey to change the fundamental laws of the bailiwick. The Royal Court may certainly make police regulations, and pass ordinances declaratory and explanatory of the ancient laws, but they cannot shake the established customs, or introduce any purely new system without the sanction of his Majesty in Council. Now, we contend that the provisions of this proposed ordinance are utterly subversive of the ancient tenure of property, as recognized for centuries in this island; and it does astonish us, that the first law officer of the crown should bring forward a measure which trenches on the prerogative of his Majesty, with whom alone, assisted by the Lords of the Council, the right of introducing new laws exclusively is vested. If the institutions of the bailiwick are to be changed, let the change be broad and fair, and let it be submitted to the sovereign and his advisers, who would, then, establish a judicial commission to report on the whole of our insular system of government on a comprehensive scale. But if the admitted right of the sovereign be violated in this instance, we now solemnly warn our local authorities to beware of the consequences.

2.—A regulation for better securing the privilege the island enjoys of sending its produce, duty free, into England, which was that the farmer and exporter should appear before the Court, and not, as is now the case, before a Jurat, to pass their certificate. This, as well as the preceding, were the subjects of a discussion which lasted nearly two hours, and it was finally enacted that all certificates for the exportation of grain, the growth of the island, should be preserved, that a duplicate of the same should be sworn to by the exporter in open Court, and not, as might have been formerly the case, at a Jurat's residence. The farmer, however, might still pass his certificate before a Jurat.

3.—A project proposing to limit to ten years, instead of thirty years, the right of a creditor to recover on simple contract debts, where no acknowledgments have been given. This regulation to be provisional, only to take place after the 1st of June, 1836.

The third proposition, submitted to the Chief Pleas, was an ordinance to reduce the prescription in cases of claims of a personal nature from thirty years to ten years, and it was adopted provisionally. This is an improvement, so far as it goes; but the period is far too extended. If a man has a claim against another, he ought to sue him without delay, if the debtor refuses, in an amicable form, to acknowledge its validity. After the lapse of ten years, documents may be lost, and witnesses may be dead; and thus every advantage is given to an artful and unprincipled plaintiff. It is not many years ago since the following trick was attempted in this island: we merely omit the names of the parties, because we have forgotten them, or the wrong-doer should be consigned to infamy in our pages. A man met several acquaintances at a public house in the country, and proposed that they all should try who could write his name most legibly. Various experiments were made, and this swindler put into his pocket one of the pieces of paper. Many years afterwards, when he thought the frolic was forgotten, he

entered an action against one of his writing associates to pay a promissory note of fifty pounds, the rascal having filled up the upper part of the paper, so as to leave the signature at the bottom. Had all the witnesses died, the cheat would have been successful; but fortunately the defendant cleared himself. We would suggest that instead of ten years, three years would be sufficient—the time allowed for arrears of rent; excepting parties who have been out of the island, in respect to whom the law should not take effect before a complete local residence of three full years.

The other regulations were comparatively of little importance, and related to fixing ten pence as the charge for boatmen taking passengers to and from the roads to the pier, and five pence from the vessel, if in the harbour; to appointing Constables and Masters for the harbours of St. Peter's-Port and St. Sampson's; and receiving the reports of the Constables as to the state of the roads.

It may be right to observe, that the Court usually assembles on the Friday previous to the Monday on which the Chief Pleas are always held, to take into consideration the measures that are to be proposed—this meeting is always private; neither the Constables, as the representatives of the parishes, nor the public are admitted.

The following discussion, which took place upon the second regulation, may give an idea of the mode of conducting a discussion at a Chief Plea meeting:—

The Bailiff, as speaker or president, represented to the Court the vital importance of the inhabitants maintaining the privilege of exporting their produce free into England; and thought that by far the safest plan would be to compel every farmer, or exporter, to appear before the Court to take his affidavit, instead of going before a single Magistrate, as was now the case. The inconvenience could not be great, as the Court frequently assembled three times a week.

Messrs. Mansell, Le Retilley, and H. Dobrée, observed, that to compel every farmer to come before the Court, instead of allowing him to appear before a Magistrate, would be attended with the most serious inconvenience, as the Court does not sit every day, and that the time most convenient for the farmer might not be that for the Court; besides, it was well known that the farmers, by going before a Judge, were exempt by a common practice from paying a shilling fee, which was an object: it would also prove highly injurious to the industrious farmer, more particularly as he came early in town to pass his certificates, in order to save a day's work. Under these circumstances, these gentlemen thought there was no necessity that the Court should be assembled to pass a certificate.

The Bailiff.—I am ready to abandon my fees; that is not the object, but to ensure greater solemnity to the deed. The trouble or inconvenience to the farmer will not be great by his attending Court. A fraud committed some time back by a countryman, who was aware that one of his neighbours was going to take a certificate, to save him the trouble of going to town, begged as a favour to allow him to mix a small quantity of wheat with his own. The person who took the oath, a well-meaning man, swore that the wheat was Guernsey produce, whilst, in point of fact, the portion which his neighbour had mixed up was foreign, and so bad, that the whole was spoilt, which circumstance led to its detection. In this case the deceiver would not swear, but got another unwittingly to answer his purpose: had the oath been required before the Court, this event would not have taken place.

Mr. Hubert.—The present method is quite as effectual as that proposed, for not only are farmers held to swear that the wheat is of the growth of the island, but also that it is their own produce. The farmer, in that case you allude to, Mr. Bailiff, could not have been deceived, or deceived the Jurat without perjuring himself.

The Bailiff.—The oath taken before the Court affords greater security. It is more public. Many are usually present, some of whom may know something about either the estate or affairs of the person taking the oath.

The Attorney-General.—Fraud must be prevented, and the remedy is an easy one. What do they do in Jersey? Why, they cause every farmer to swear that the wheat is of his own produce; officers are held to give a list of the grounds cultivated with wheat; the exporter is held to swear of whom he has purchased, who again makes oath that the growth is of his own lands.

Messrs. Hubert, Carré and Dobrée, here remarked, that these measures were precisely similar to those of Guernsey, only that there was no annual account kept of the grounds cultivated with corn.

The Bailiff.—But in the case I have just mentioned, will any one believe such an oath would have been taken before the Court?

Mr. Gosselin.—But in that case the man swore to what he considered was his neighbour's wheat. I should not have accepted such an oath, which, under the actual practice, the well-meaning man could not have given, as he could not have sworn that the whole contents he intended for exportation was of his own growth.

The second regulation was then adopted.

Such is the mode in which the proceedings are usually conducted: every member of the Court speaks as often as he pleases, and when the discussions are terminated, the Bailiff, as president, collects the votes. A simple majority of the Jurats is sufficient to enact a new regulation or abrogate an old one, the Bailiff having no vote excepting when those of the Jurats happen to be equal, when he then gives his casting vote. Regulations thus passed are then followed as the law of the land, unless they happen to be contrary to the decrees passed by the King in Council, who alone constitutionally possesses a legislative authority.

COUNTRY HOSPITAL.

As we stated in our Prospectus that we would report all important cases that might occur either in the town or country hospitals, we have now to notice a case of amputation, which was performed on the 14th of April, by Mr. Peter Grut, surgeon to the country hospital, in the presence of Doctors O'Brien, Manger, W. Mansell, and T. Mansell.

The patient was a young woman named Judith Jehan, about twenty-four years of age. About four years and a half ago, she had fractured and dislocated the bones of the ankle of the limb which Mr. Grut removed; but she had recovered from that serious accident, under the unremitting care and attentions of the late Mr. Adolphus Carey, who was at that time surgeon of the country hospital. The immediate cause of amputation was an affection of the knee joint. The operation she underwent is professionally termed the double flap operation; three arteries were secured, the flaps brought together, and the usual dressings, bandages, &c. applied: the whole process was skilfully performed in the space of fifteen to twenty minutes.

There were two peculiarities attending this case, which makes it physiologically interesting, and deserving of record. From the time of the original accident, when the bones of the ankle were dislocated and fractured, up to the very day on which the limb was amputated, the patient had constantly bled from the mouth; but in three days after the operation, this hemorrhage totally ceased. During the same period, she had been troubled with a constant irregularity of the secretions, which were in every respect "vicarious:" however, on the third day after amputation, this also returned to its natural state. We have made inquiries as to the state of the patient's health up to this date, the 28th April, and we are happy to learn that there is no apprehension entertained of a recurrence of these distressing complaints, but a sanguine hope that she will be entirely restored to health.

LECTURES AT THE GUERNSEY MECHANICS' INSTITUTION.

ON COMBUSTION.

Before entering further on the subject of combustion, said Mr. Ollivier, it may perhaps be proper to recapitulate briefly the principal parts of the last lecture. By such a proceeding, we shall be better prepared for the examination of those facts relative to that process, which have not yet been noticed. It was shewn that when bodies are burnt, that they are not destroyed, because combustion merely effects the decomposition of the combustible body, and sets its several component parts at liberty, in order to form new compounds. The component parts of the combustible body combine during combustion with the oxygen of the surrounding atmosphere, and new bodies are formed. Thus the

combustion of charcoal causes the formation of carbonic acid gas, because this body is the result of the chemical union of carbon with oxygen; charcoal is nearly all pure carbon. On the same principle, the combustion of tallow, a substance containing hydrogen as well as carbon, will cause water as well as carbonic acid to be formed. For hydrogen, by combining with oxygen, forms water. In like manner, if sulphur be burned, sulphurous acid will be formed, and if phosphorous be burnt, phosphoric acid will be formed.

As I expressed at the commencement of the last lecture my intention of dwelling principally on facts, it now becomes necessary to demonstrate

practically that they are facts and not speculations. It must however be observed, at the same time, that it is not possible to give more than a mere specimen of the means employed in arriving at this knowledge. A practical demonstration of all the facts, on which our present knowledge of combustion is founded, would be, not only an entire departure from the plan first proposed, but also, during a lecture, wholly impracticable.

The lecturer then introduced a bell glass over a lighted candle, attached to a small board, and floating on water. The light, after a short time, became extinguished, owing to its having consumed the oxygen contained in the glass,—or, to speak more correctly, owing to the oxygen having entered into combination with the carbon and hydrogen of the candle, and there being none left to enter into any further combination. The air in the bell glass which had served for the combustion of the candle, was then passed by means of a bent tube attached to the top through lime water, which it rendered turbid. This is caused by the carbonic acid, formed by the union of the carbon of the candle, with the oxygen of the air, combining with the lime held in solution by the water, and forming carbonate of lime. The insolubility of this last body in water, is the cause of its becoming turbid. A few drops of muriatic acid caused the water again to become clear. For the muriatic acid decomposes the carbonate of lime, by combining with the lime, and expelling the carbonic acid, from its superior affinity for lime. By this decomposition and recomposition, muriate of lime is formed, which being soluble in water, causes the clearness of the water to be restored. The muriatic acid was added in order to show that the lime water became turbid, owing to the combination of the carbonic acid with lime. The lecturer then burnt charcoal in oxygen gas, and proved by the application of the same tests, that carbonic acid had also been formed.

The consequent deterioration of the atmosphere, not only by combustion, but also by respiration, for every living being consumes oxygen and gives out carbonic acid, might lead to the supposition that the oxygen of the air is continually decreasing and the carbonic acid increasing: and if so that it must eventually become so vitiated, as to be unfit for the support of combustion, and the sustenance of life. This, in fact, must have been the inevitable consequence, if means had not been appointed for the restoration of its oxygen, and the withdrawal of the carbonic acid. This important operation is effected by the vegetable kingdom. The leaves of living plants are, as it were, so many laboratories in which the air undergoes purification, and is rendered fit for the performance of its important functions. It is a remarkable circumstance in the economy of nature, that although carbonic acid gas is highly injurious to animal life, yet it is as essential to vegetable life as oxygen gas to animal. The elementary substance called carbon, the basis of carbonic acid, enters into the composition of all vegetable substances. It is the necessary food of plants. By means of their respiratory organs, they seize the carbonic acid which comes within their reach, in order to effect its decomposition. They appropriate the carbon to themselves, and throw off the oxygen, to renovate the atmosphere. Thus, what is noxious to man, is rendered beneficial to vegetables; and the oxygen which vegetables are not in want of, is separated by them in its utmost purity for the use of man. What the animal evolves and rejects as superfluous and excrementitious, the plants receive as nutritious and vital; and what the plants reject, is vital and indispensable to the animal. This was first proved experimentally by Dr. Priestley. If a living plant or shrub be placed in a glass jar, filled with water, and inverted

over water, and exposed to the action of the sun's rays, minute bubbles of air will collect on the upper surface of the leaves, and rising to the upper part of the jar, will displace the water. The gas thus evolved by the plant will be found to be pure oxygen. In like manner, a sprig of mint, corked up with a small portion of carbonic acid gas, and placed in the light, will absorb the carbon and render the air again capable of supporting combustion and animal life.

Water, another of the products of combustion, becomes also decomposed in the leaves of living plants. Hydrogen, the basis of water, is also like carbon, one of the constituents, as well as the necessary food, of all vegetables. During the decomposition of water, the hydrogen is retained for their nutriment, whilst the oxygen is evolved to renovate the atmosphere. The wisdom, the simplicity, and the beneficence of these arrangements are so striking, that they cannot fail, when contemplated, of exciting admiration in every reflecting mind. "Surely," says Mr. Parkes, "nothing short of consummate wisdom could have conceived any thing half so beautiful in design, or extensively and superlatively useful in effect. When we recollect the immense quantities of oxygen which must be consumed daily by combustion and respiration; and that, notwithstanding, the atmosphere always contains the same proportion of this vital principle, we can attribute the renovation to nothing but design, and perceive in it a proof that the laws of nature must be referred, not to blind chance, but to unerring intelligence combined with infinite goodness."

Shortly after the discovery of the composition of the atmosphere, and the mode of supply and regeneration of its vital part, Sir John Pringle, the president of the royal society, in presenting the discoverer, Dr. Priestley, with a gold medal, addressed him in an elegant speech, from which the following is an extract:—"From these discoveries, we are assured that no vegetable grows in vain; but that, from the oak of the forest, to the grass of the field, every individual plant is serviceable to mankind. In this the fragrant rose and deadly nightshade co-operate: nor is the herbage nor the woods, that flourish in the most remote and unpeopled regions, unprofitable to us, nor we to them, considering how constantly the winds convey to them our vitiated air, for our relief and their nourishment. And if ever these salutary gales rise to storms and hurricanes, let us still trace and reverse the ways of a beneficent Being, who, not fortuitously but by design, not in wrath but in mercy, thus shakes the water and the air together, to bury in the deep those pestilential and putrid effluvia which the vegetables on the face of the earth had been insufficient to consume."

The examination of these phenomena unfolds to our view, some of the most interesting subjects of contemplation which can occupy the mind of man. We thus see that nothing is lost. The decomposition of one thing is only a preparation for the being, the bloom, and beauty of another. Man can destroy nothing. Here it may be also remarked, that provision has been made even for the restoration of the fallen leaves of vegetables, which rot upon the ground, and, to a careless observer, would appear to be lost for ever.—Berthollet has shown by experiment, that whenever the soil becomes charged with such matter, the oxygen of the atmosphere combines with it, and converts it into carbonic acid gas. The consequence of this is, that this same carbon, in process of time, is absorbed by a new race of vegetables, which it clothes with a new foliage and which is itself destined to undergo simple putrefaction and renovation to the end of time.

There are other supporters of combustion besides oxygen: it is not therefore essentially necessary to that process. The other supporters of combustion are chlorine, iodine, and bromine.

Chlorine is one of the elementary or simple substances. It is one of the component parts of common salt, and it is from this substance that it is generally obtained for experimental purposes. Although common salt is, as we are well aware, a solid body, yet when decomposed, the chlorine, one of its constituent parts, assumes the gaseous form. This gas possesses many remarkable properties, one of which is that of supporting combustion. In fact, some bodies when introduced into this gas, inflame if it spontaneously without any previous ignition. Mr. Ollivier then illustrated the properties of this substance by introducing thin leaves of copper into a bottle containing chlorine gas. The copper on coming in contact with the chlorine became immediately ignited, and burnt with a red light. Chloride of copper was formed in consequence. Some powdered antimony was also thrown into another jar of the same gas, which, by its instantaneous combustion, gave the appearance of a shower of fire. Chloride of antimony was therefore the result of this experiment. The spontaneous combustion of phosphorus and turpentine in this gas, was also exhibited. In the latter experiment one circumstance is worthy of remark. Carbon, one of the constituents of the turpentine, although combustible in oxygen, is incombustible in chlorine. Hydrogen, on the contrary, another constituent of turpentine, is combustible in both chlorine and oxygen. When turpentine therefore is introduced into chlorine, its hydrogen, combining with that supporter, undergoes combustion, and forms a compound of hydrogen and chlorine, but the carbon of the turpentine is deposited in the form of soot on the sides of the bottle.

Having examined the compositions and decompositions which attend combustion, we shall now consider the various forms in which it proceeds. We know that it is sometimes accompanied with flame, and also that it may exist independent of flame. For instance, coal, tallow, spirits of wine, &c., inflame, but charcoal and coke burn with little or no flame. At other times the combustion is rapid and instantaneous as in gunpowder. That species of combustion which is unaccompanied with flame, is peculiar to those bodies which require a considerable quantity of heat to be volatilized or to become converted into the aeriform state, such as charcoal and coke. For flame is aeriform matter in a state of combustion. When the combustible body retains the solid form, combustion proceeds without flame. Hence the difference in the combustion of charcoal and tallow. Charcoal is nearly all pure carbon, which requires a very high temperature to become volatilized, and tallow contains, besides carbon, hydrogen, which always assumes the aeriform state. But we must not however suppose that the flame formed by the combustion of compound combustibles, such as tallow and coal, consists of the hydrogen alone of that combustible. For when carbon is united with a certain portion of hydrogen, as it is in the compound combustibles before named, it also inflames. Hence the difference in the lights emitted from the burning of coal gas or that from pure hydrogen. For coal gas consists principally of carbon and hydrogen. We may easily satisfy ourselves that coal gas contains carbon, by introducing a piece of polished metal in its flame. Part of the carbon will be deposited in the form of soot on that body. The flame of a common coal fire is coal gas undergoing combustion. When coal is exposed to a certain heat it becomes decomposed. By this decomposition gas is formed which inflames if all circumstances are favourable to its combustion. Besides the combustible gaseous matter, heat expels from the coal an aqueous vapour, loaded with several kinds of ammoniacal salts, a thick viscid fluid resembling tar, and some gases that are not of a combustible nature.

The consequence of which is, that the flame of a coal-fire is continually wavering and changing, both in shape, as well as brilliance and in colour, so that what one moment gave a beautiful bright light, in the next, perhaps, is obscured by a stream of thick smoke.

But if coals instead of being burnt in this way, are heated in a close vessel, a retort, for instance, the whole of the products may be collected and separated from one another. The ammoniacal liquor, with the tar, may be condensed and saved. The inflammable gases may be separated from the non-inflammable, and afterwards forced out to any distance by means of pipes, to serve as the flame of candles for the illumination of a room or any other place. And the coke or fixed carbonaceous base of the coal remain behind in the retort.

When coal is decomposed in this way, the retort in which it is contained is heated by means of a furnace, the combustible constituents of the coals being prevented from undergoing combustion by being excluded from the air. The simple experiment of exposing the bowl of a tobacco pipe, filled with pulverized coal and covered with clay, to a red heat, will afford a simple illustration of the manner of procuring coal gas. The coal in the bowl becomes decomposed, just the same as the coal in the retorts at gas works. The gas issues from the stem, which, on the application of a candle, inflames, and continues to burn as long as the gas is supplied. The coal in the bowl is found to be converted into coke. According to this process the whole of the combustible materials may be burned. But, on the contrary, in an open fireplace, much must inevitably be lost. We often see a flame suddenly burst from the densest smoke, and as suddenly disappear; and if we apply a light to the little jets issuing from the bituminous parts of the coal, they will inflame, and burn with a bright flame. A considerable portion of combustible matter, capable of affording light and heat, constantly escapes up the chimney. Much combustible matter is also lost from the bad management of the fire, and the unscientific construction of common fire-places.

It will not, perhaps, be foreign from this subject to offer a few remarks on the economy of the combustion of this useful substance, coal. They are taken from Accum's Treatise on Gas-Light. With regard to the economy of this kind of fuel, or the quantity of heat produced during the combustion of any given quantity of coal, or indeed of any kind of fuel, depends much upon the management of the fire, or the manner in which the coal is burnt. When the fire burns bright, clear, and without smoke, much radiant heat will be sent off from it; but when it is smothered up, very little will be generated; most of the heat produced will then be expended in giving elasticity to a thick dense vapour, or smoke, which is seen rising from the fire; and the combustion being very incomplete, the carburetted hydrogen gas of the coal being driven up the chimney without being inflamed, the fuel is wasted to little purpose.

Nothing can be more perfectly devoid of common sense, and wasteful and slovenly at the same time, than the manner in which chimney fires, where coals are burnt, are commonly managed by servants. They throw on a load of small coals at once, through which the flame is hours in making its way; and frequently it is not without much care and trouble that the fire is prevented from going quite out. During this time no heat is communicated to the room; and, what is still worse, the throat of the chimney being occupied merely by a heavy dense vapour, not possessed of any heating power, and, consequently, not having much elasticity, the warm air of the room finds less difficulty in forcing its way up the chimney and escaping, than when the fire burns bright, and the coal is

ignited. And it happens not unfrequently, especially in chimnies and fire-places ill constructed, that this current of warm air from the room which presses into the chimney, crossing upon the current of heavy smoke and aqueous vapour which escapes slowly from the fire, obstructs it in its ascent, and beats it back into the room. Hence it is that chimnies so often smoke when too large a quantity of fresh coals is put upon the fire. So many coals should never be put on the fire at once, as to prevent the free passage of the flame between them, or to prevent them becoming quickly heated, so as to give out the carburetted hydrogen gas which they are capable of furnishing, and to cause it to be inflamed. In short, a fire should never be smothered: and when attention is paid to the quantity of coals put on, there is little use for the poker; and this circumstance will contribute much to cleanliness, and the preservation of furniture.

The author of a paper in the *Plain Dealer* asserts, that, of the various perversions of abilities, there is none that makes a human being more ridiculous than that of attempting to stir a fire without judgment, to prevent which he lays down the following rules:—1. Stirring of a fire is of use, because it makes a hollow where, the air being rarefied by the adjacent heat, the surrounding air rushes into this hollow, and gives life and support to the fire, and carries the flame with it. 2. Never stir a fire when fresh coals are laid on, particularly when they are very small, because they immediately fall into the hollow place, and therefore ruin the fire. 3. Always keep the bottom bars clear. 4. Never begin to stir the fire at the top, unless when the bottom is quite clear, and the top only wants breaking.

Another important subject in the economy of heat, is, the size of the coal. It is not generally apprehended how very wasteful the use of small coals is in the ordinary open fire-grates. Necessity makes us use the poker, particularly when the coals are small; and habit prevails even when they are large. By the constant stirring of the fire, almost the whole of the small coal passes through the bars; and, consequently, a great deal goes to the dust-hole without being burnt at all. To prove this, we need only take a shovel full of ashes and put them into a pail, and then pouring water over them, which being gently run off, will carry nearly all the light and burnt parts, and leave an astonishing quantity of bright unburnt coal, which has escaped from the fire-place, in consequence of being small.

When the grate of the fire-place is large, and the small coals are thrown behind; or when we can have patience enough to bear the cold for an hour or two, or contrive to have the fire lighted a long time before we want it, the small coal may be of some use; but the fire made with it is never strong, nor so bright, and does not burn so long as a fire made with large or round coals: it often requires the help of the poker, and produces a great quantity of breeze.

The loss in the use of small coals is more considerable to the poor, who cannot keep large fires. When they want their breakfast or dinner, the time they can spare is limited; and to have their water sooner boiling, or their meals quicker ready, they must make use of the poker, and lose a great deal of coal. This fact is so evident, that any body who wishes to make the experiment before recommended, will find that much more bright coal goes to the dust-hole of the poor man than to the dust-hole of a rich family, where, the fire-place being large, the small coal has more chance of burning.

The manner in which a candle undergoes combustion is also an interesting subject of investigation. In a candle, three things present themselves to our notice: the tallow, the wick, and the flame. The tallow is, as it were, the magazine containing the materials necessary

for the production of flame. The wick is the medium of communication between the flame and tallow. And the flame consists of gaseous matter, arising from the decomposition of the tallow, in the act of combustion. This process proceeds only at that part which is immediately in contact with the atmosphere. In the interior of the flame no combustion can take place, as the air can have no access to it. Flame, therefore, is a mere film or bubble, and not solid. It contains, however, gaseous matter, ready to take the place of that portion which is undergoing combustion.

The mode by which a constant supply of gas is insured, is worthy of remark. The tallow in the vicinity of the flame, liquified by the heat, is drawn up in the wick by capillary attraction. Here, by the intense heat to which it is exposed, it suffers decomposition, assumes the gaseous form, and undergoes combustion. When oil is burnt in lamps, precisely the same thing occurs, it rises in the wick by capillary attraction to the flame, and is there decomposed, and gas is consequently formed. We see, therefore, that gas and candle light are the same, for the tallow is actually converted into gas before it is consumed. Hence we must admire the simple yet wonderful contrivance of a common candle. It may be aptly compared to a self-generating gas apparatus. The flame performs the office of a furnace, and the wick serves to convey the combustible matter at the fire-place, or place of combustion, and also the purpose of a retort. Another circumstance is worthy of remark. We perceive that the wick, although combustible, does not undergo combustion, while surrounded with flame, because the flame protects it from the action of the atmosphere. For when the wick, by the continual wasting of the tallow, becomes too long to support itself in a perpendicular situation, the top of it projects out of the cone formed by the flame, and thus being exposed to the action of the atmosphere, is ignited, loses its blackness and is converted into ashes.

In a common candle or lamp, a portion of combustible matter escapes unburnt, which causes the formation of smoke. Smoke indicates imperfect combustion. It may arise from the want of a temperature sufficiently elevated to effect the combustion of the whole of the volatilized combustible matter. For we find that the introduction of any cold body in the flame of a candle or lamp, will cause an immediate evolution of smoke, and deposition of soot on the cold body. The smoke thus evolved, is part of the carbon of the candle minutely divided, some of which may be perceived deposited on the cold body, in the form of a black impalpable powder. This arises from the temperature of the flame being so far lowered as to prevent the ignition of the carbon evolved by the decomposition of the tallow. For carbon requires a higher temperature for its ignition, than hydrogen. Smoke may also be formed by the supply of combustible matter being greater than the consumption,—when a greater portion is volatilized than can come in contact with the oxygen of the surrounding atmosphere. Hence it follows, that with a large wick and a large flame, the waste of combustible matter is proportionably much greater than with a small wick, and a small flame. In fact, when the wick is not greater than a single thread or cotton, the flame, though very small, is peculiarly bright and free from smoke; whereas in lamps, with very large wicks, such as those of lamp lighters, there is an immense volume of smoke, which in a great measure eclipses the light of the flame. In order to remedy this defect of common lamps, the argand lamp has been constructed, in which an internal current of air is established, which renders the combustion perfect by the application of air on both sides of a thin flame.

ROYAL COURT.

SENTENCE IN THE AFFAIR OF THE COMMERCIAL ARCADE.

26th April, 1836.—*Before Daniel De Lisle Brock, Esq., Bailiff, John Guille, John Le Menurier, John Hubert, John Le Marchant, William Collings, H. O. Carré, P. B. Dobrée, T. W. Gosselin, Thomas Le Retille, and Harry Dobrée, Esqrs., Jurats.*

THE Court this day assembled by virtue of an Order of His Majesty in Council, dated the 23rd of February, 1836, to determine the conditions of sale of the property belonging to Messrs. Le Boutillier, Edmund Richards, and Frederick De Lisle, has fixed upon the following conditions:—

1.—The sale shall take place on the first Wednesday of next June, at eleven o'clock in the forenoon, in the Arcade forming part of the said property, before the Bailiff or his Lieutenant, Peter Bonamy Dobrée, and Thomas Le Retille, Jurats, Commissioners of the Royal Court; and it shall include the whole of the houses, land, dependences, and materials belonging to the Arcade, as well as the house, materials, and ground situate in Berthelot-street.

2.—The last bidder, offering the highest price, shall be declared to be the purchaser; and the property shall then be adjudged and conveyed to him on the following conditions.

3.—The whole property shall be put up at the price of 303 quarters, two bushels of wheat rent, and Ten Thousand Pounds sterling, Guernsey currency. No single bidding to be less than Fifty Pounds sterling.

4.—The purchaser shall be obliged, immediately after the conclusion of the sale, to deposit in the hands of the Commissioners of the Court, Five Hundred Pounds sterling, Guernsey currency, on account of the purchase money, under the penalty of a similar sum, and the nullification of the sale.

5.—The contract of sale shall be completed and passed within one month after the day of sale; and the purchaser shall be compelled to pay, on the contract of sale being passed, into the hands of the Commissioners of the Court, One Thousand Pounds sterling, under the penalty of forfeiting the first sum of Five Hundred Pounds, required to be deposited by the fourth article, and also of the nullification of the sale.

6.—The remainder of the purchase money shall be paid to the said Commissioners in three instalments: to wit, one-third in three months after passing the contract of sale; one-third in six months; and the remainder in twelve months; the whole, with interest at the rate of 8 per cent. per annum, which interest is to be reckoned from the date of the first month after the contract of sale is passed. The obligation to make these payments shall be inserted in the

said contract, reserving, however, to the purchaser the power of completing his purchase in full, if he is so minded, before the expiration of the periods fixed. And in case the first of these three instalments be not paid at the date fixed, the purchaser shall forfeit the Fifteen Hundred Pounds already deposited, and the sale shall be declared null and void.

7.—The proprietors and their wives shall consent, not later than the sixteenth of next May, to a special and irrevocable power of attorney, authorizing an attorney to renounce to the dowers of the said wives on the property of their respective husbands, so far as such property is included in the sale to which these conditions refer: and this on the penalty of Five Hundred Pounds sterling, to be paid by the husband whose wife shall have refused to sign the power of attorney on or before the sixteenth of May.

8.—The purchaser shall be put into possession of the property immediately after the contract of sale is passed, shall pay one quarter of the ground rent due for the year 1836,—and receive the rents of the houses from the 24th day of next June.

9.—The sums received by the said Commissioners shall be applied to liquidate liabilities registered on the estate of the proprietors, if any remain not discharged; also to the payment of arrears of ground rent, and other admitted debts; and the surplus, if any, shall be divided among the proprietors in the proportion of their respective rights. And the said proprietors are declared equal in all their rights, one towards the other, as to the articles of partnership account between them.

10.—All demands, mortgages, and engagements of whatsoever nature, registered on the inheritances of the actual proprietors, must be vacated and withdrawn before the contract of sale is passed, unless the purchaser consents to their being continued registered on the purchased property. And in case the sums registered do not appear to be cancelled, it shall be competent to the Commissioners to apply the instalments which they have received to the liquidation of such registries.

11.—Whatever penalties may be assessed by virtue of these conditions, shall be applied to the benefit of the proprietors according to their respective interests in the estate. And if one of them becomes the purchaser, and is adjudged to pay the said penalties, they shall be applied to the benefit of the other two.

(Signed) CHARLES LEFEBVRE,
His Majesty's Registrar.

TO CORRESPONDENTS.

In reply to the letter of "A GUERNSEYMAN," we have to observe, that in our next number we shall commence a series of articles on the Anglo-Norman institutions, so as to present, what our correspondent seems to desire, some historical facts relating to the manners, customs, and laws of the ancestors of the present inhabitants of the Channel Islands.

We have received the acrostic signed "C." We are much obliged to him for his good wishes, but his compliment smacks too much of a puff.

The letter of "CAUSTIC," animadverting on the Guernsey Militia, is too scurrilous for our pages. We have unceremoniously consigned it to the flames, and beg to be postured no more with personalities.

THE

GUERNSEY & JERSEY MAGAZINE.

JUNE, 1836.

ON NATIONAL WEALTH.

IN continuing this article from our last number, we have now to consider the respective rights and duties of the three sections of society, so far as they affect the stability and progress of national wealth. To render such an inquiry useful, we must regard the spirit of the age in which we live,—its wants and its necessities,—our home and foreign trade,—the influence of the funding system,—and the mixed circulation of money, in the double form of paper and the precious metals. We must look at things as they actually exist, and set aside all prejudices in favour of institutions which might have been beneficial in past times, but may be quite incompatible with our present position. We must consider that England is not now a purely agricultural country, but a manufacturing country; not a large farm, but a large workshop. Measures, therefore, should be adopted to keep the commercial system moving onwards, for, should it become stationary, while population increases, utter ruin must be the inevitable consequence. It should be remembered, that all persons now born, or to be born, come into existence with a previous mortgage on their time, industry, and skill, in the shape of the national debt; though it is true, and the fact ought not in candour to be overlooked, that they become immediate participators in the improved condition of the country. They do not draw their first breath in a wilderness, nor are they surrounded by barbarian institutions, but commence their existence in the midst of art and science, law and government. These advantages may be looked at in the nature of a set-off against the mortgage on national capital and labour, but, at the same time, unless those advantages can be made available to their full extent, free from any monopoly or exclusive preferences, their value is not real, but only apparent.

In the present state of England, we take it for granted that the produce of the soil could never pay the dividends, or the annual charges of government: indeed, it appears that the profits of agriculture barely suffice to maintain the farmer and pay rents. From the surplus proceeds of the

land, therefore, the national creditor has nothing to hope. Were that the only source of wealth, bankruptcy would be inevitable. Hence it is certain that the landlords or territorial aristocracy are the least efficient members of the state, in reference to our present financial system. But such is the force of prejudice and long standing custom, that, though they have become the least useful section of the community, they are still permitted to retain exclusive privileges, to the detriment of those who have become the most useful. In the days of feudalism, the barons defrayed all the expenses of war, that obligation being the tenure by which they held their estates; but now they retain their lands, *free from this tax*, and the army estimates are levied on the funds of the nation at large. They were also saddled with many other expenses, from which their estates are now released, and still they have not paid any commuted equivalent to the nation. But the worst of their privileges, in a financial point of view, is the law of primogeniture, which has exterminated the yeomanry of England, demoralized the Irish peasant, and crippled the manufacturing and shipping interests of the nation at large.

It is a singular spectacle to behold the land of a civilized country concentrated in a few hands; to view the privileged holders invested with a power of refusing its cultivation, unless a part of the produce be given to them for the permission; to acknowledge their right of preventing their fellow-creatures from building a house on the soil, without paying an annual compensation in the shape of ground rent. It is a kind of international alien act, for the natives are as completely divested of the uses of the ground as an African or a Chinese. But this political phenomenon assumes a still more wonderful character, when we know that only one individual of the privileged family can inherit the advantages enjoyed by his father, the eldest son taking all, to the exclusion of his brothers and sisters. We trace the origin of this practice to the barbarism of the feudal age, and if we seek for the perpetuating principle of a system so repugnant to national justice and domestic affection, we shall find it to consist in pride and vanity. What is a title without a large fortune? A piece of gingerbread with the gilding stripped from the surface. Wolves and hyenas, the most savage of the brute creation, nurture all their offspring with impartial care; but they know nothing of the Herald's College; man alone is deaf to the cries of nature, and sacrifices the beings whom he has brought into existence for that prostituted bauble, nicknamed a "title of honour." Before the French revolution, the younger members of the aristocracy, particularly the females, were immured in convents and nunneries, and forced to take the vows of celibacy, in order that all the rental of the patrimonial estate might exclusively belong to the eldest son; for what signified an outrage on the laws of nature, compared with the splendour of a coronet! The reformation, having destroyed these refuges for the destitute in England, deprived our nobility of similar

tombs for the living, in consequence of which, the junior scions of patrician families were sent out to plunder the natives of our colonial possessions. What has been the result in the two countries? The French *noblesse* have been swept away from the face of the earth, and the law of primogeniture has been abolished. In reference to England, America has thrown off the yoke of her transatlantic oppressors, and domestic justice, slow but sure, has recently stripped the peers of their nomination boroughs. Well may we say with Jefferson, one of the illustrious presidents of America, "Whatever is morally wrong, can never be politically right;" and who will deny that it is morally wrong to disinherit every child in a family but one? Judge of the tree by the fruit: and will not experience tell you, that the eldest son of a patrician family is most frequently a fool, a libertine, or a gamester, miserable to himself and useless to mankind?

The effects, direct and indirect, of the law of primogeniture on national wealth, have been, and still continue to be, of the most baneful character. It has extinguished the race of small farmers, and the once famed yeomanry of England only exist in history. By the consolidation of farms, there is now only one tenant in a parish, where there used to be twenty, and thus the middle rank of the agriculturists has been destroyed. The enclosure acts have robbed the poor labourer of his right of common, so that he cannot, as his ancestors were wont to do, keep either a cow or a pig, to compensate for the reduction of his wages. The two extremes of society are thus thrown into a state of the most frightful demoralization; the rich, from a superfluity of wealth; the poor, from the abject desolation of their misery. That honest pride, which was once the boast and glory of the English peasant, is faded and gone with his independence. And what has the landlord gained by this monstrous policy? In grasping at the shadow, has he not lost the substance? Can he hope permanently to secure his rent, by debasing and pauperizing the rural population? Already the truth flashes on their minds; they see the gulph yawning beneath their feet; they now refuse all parochial relief whatever, and hope that the recent poor bill will enable them to roll in wealth, while the millions die of starvation. Miserable infatuation! when did tyranny, in the long fight, ever prevail over justice? Have a Charles and a Louis perished on the scaffold in vain, and must fresh victims be offered up to the Moloch of aristocracy!

From Great Britain, turn the scene to Ireland; and there behold in rankest luxuriance the evils of primogeniture. If the soil of Ireland were barren, her climate ungenial, and her population stricken with mental imbecility, or crippled by physical weakness, these causes might account for her poverty. But the reverse of the supposition is the truth. Were the calamities, which afflict that unfortunate country, confined to particular districts, or were they of a temporary or superficial character, the mere

efflux of time might restore her to a sound and healthful vigour. But a retrospect of past times dissipates this illusion, and exhibits one continued scene of commercial wretchedness and intellectual debasement. It is useless, nay, it is criminal, to deny the fact. The malady of Ireland is not a mere local inflammation ; it is not confined to the surface : it is a deep-seated disease, a pestilent virus flowing through every vein and artery of the body politic. We have shown that her demoralization cannot be ascribed to natural causes ; we must, then, seek for it in some artificial cause, and we firmly believe that it is to be found in the law of primogeniture.

The real fund of wages is capital ; but Ireland has none. But why has she none ? Because all her surplus produce is carried out of the country. To whom is it conveyed ? To an absentee aristocracy, in whose hands the law of primogeniture concentrates the fruits of Irish industry. Were that hateful law repealed, it is certain that she would gradually receive an accession of resident country gentlemen, who would displace those ravenous wolves, called the middle men, and spend their rentals in the neighbourhood from which they were drawn. The immediate effect would be to increase the amount of fixed capital, and the accumulating profits derived from it would in turn augment the circulating capital. The fund of wages would thus be enlarged, and wages themselves would at once rise in amount. A class of small tradesmen would spring up in her villages, to supply the demand of the operatives. A stimulus would thus be given to the operations of the wholesale merchants and manufacturers, who in turn would give a fresh impetus to the shipping interests. Now, it is obvious that the first link in this commercial chain is the wages of labour, for the working classes, on account of their number, must always give the greatest encouragement to the production of commodities, because their united demand is always the greatest. But what stimulus to trade can be expected from a population whose maximum of wages is only sixpence per day ? to whom potatoes with butter milk is a positive luxury, but whose customary food is a dry potatoe with a sprinkling of salt !

Capital is the surplus of production over consumption. Suppose population stationary, and the surplus of any country to be spent in a foreign land, then there could be no addition to the capital of the producing country, and it would continue stationary. But this is an untenable supposition, for population will advance, unless checked by disease or famine ; therefore, a country so circumstanced must retrograde. Now this is precisely the case of Ireland. Her numbers are annually augmenting, while her fixed and circulating capital continue stationary. Her surplus finds its way into the pockets of absentees, who spend it in improving the post roads ; and supporting the hotels, of the continent. Were it expended in local improvements, it would be clear gain to Ireland.

This, however, can never take place, before she possesses a resident landed gentry, whose interests are identified with the welfare of the people ; but this class of society can never exist, so long as the law of primogeniture prevails, and therefore we denounce it as one of the greatest obstructions to the progress of national wealth.

Many persons attribute the wretchedness of Ireland to the influence of the Romish church, but we cannot subscribe to that opinion. We believe that this fallacy is encouraged to keep out of view the real cause of her demoralization, and put the public mind on the wrong scent. So long as the priesthood are considered the sole authors of the national calamity, the absentees are safe, and the law of primogeniture secure from investigation. But supposing it desirable to weaken the authority of the Irish clergy, some class must be thrown into the scale against them, and what class can ever be efficient but a resident gentry ? Now it has been shown that they can never coexist with the law of primogeniture ; therefore, we are supplied with an additional argument, recommendatory of its extinction.

We now proceed to point out the mischief occasioned by the law of primogeniture on the interests of the capitalists and operatives of the United Kingdom generally, both in reference to the home and foreign trade.

It is a principle of economical science that all trade should be left entirely free, for which reason all bounties and monopolies are to be condemned. No government can ever be justified in attempting to direct individual enterprize. Every merchant is best able to judge for himself, when and where to embark his capital ; and as the relations of society are constantly changing, and adapting themselves to newly created wants, any interference on the part of the legislature militates against the right of private judgment in matters of commerce. The higgling of the market, if left alone, will always adjust prices, and regulate supply and demand, and trade will always find of itself the safest and most lucrative channels. The duty of government ought to be strictly limited to protect every man in the free prosecution of his own industry, and secure to him the fruits of his own exertions ; but it argues either ignorance or injustice to encourage any particular branch of commerce by the offer of a bounty, or obstruct its course by monopoly or prohibition.

At the present time, England possesses more fixed capital than all the world, and the main source of her wealth is derived from the superiority of her manufactures. She is no longer an essentially agricultural country, but, as we have already remarked, an immense workshop. What does she most require ? Evidently a market for her commodities. Where must she seek for it ? Among nations who are yet in the agricultural state, and have no native manufactures. Of this description is Poland, rich in grain, but having neither cotton nor hardware. What, then,

prevents an immense interchange between English manufactured goods and the agricultural produce of Poland? The English corn bill, which operates as a prohibition. And why was that enacted, and why is it maintained in violation of the principles of free trade? To keep up the rents of the aristocracy, in whose hands the law of primogeniture vests the power of hereditary legislation, which power they employ to exact a bonus from every consumer of bread, that is to say, from every man, woman, and child, in the kingdom.

The wages of labour form a considerable item in the cost of production, and therefore materially affect the selling price of all commodities. Wheat being cheaper in France than in England, so far as bread is concerned, the French manufacturer can undersell the English manufacturer in any foreign market. If the Frenchman does not do so, his inability arises from other causes, favourable to the Englishman, which counterbalance the disadvantages which he labours under in the higher price of wheat. But the injustice and impolicy still remain, for, in reference to the cost of production, dearness of bread has the same effect as inferiority of machinery, so that the corn bill is a tax on manufacturing capital and labour, a tax on the vast majority of the people, for the benefit of a small fraction. It must not be supposed that this tax benefits the farmer, who is the *payer of rent*, for it only enriches the landlord, who is the *receiver of rent*. The farmer derives no advantage from the high prices of grain, because his rent will be raised in proportion, and the landlord always pockets the excess; on the contrary, the farmer is really interested in low prices, for, as he is a consumer of manufactured goods, he is benefitted by their cheapness, and their cheapness depends on the cost of production, which must always be affected by the price of food. Thus, then, it appears that a duty on foreign corn limits the exportation of British manufactures, to the detriment of the capitalist and mechanic, and is injurious to the farmer, who has to pay an extra price for his implements, furniture, and clothing. Consequently, the difference between the market price of Polish wheat and of English wheat, under the present prohibitory system, is a bonus paid by the public to the territorial aristocracy, the least numerous and the least useful part of the population.

Most persons are dazzled by external appearances. During the fashionable season, Hyde Park is crowded with splendid equipages, a spectacle not to be witnessed in any city of the continent. Southampton water and the harbours of the Isle of Wight exhibit a noble fleet of private yachts. When her majesty gives a drawing-room, the visitors are decorated from head to foot with the most brilliant jewellery. Look at the other side of the picture. Behold the Irish peasant sustaining life on a dry potatoe and tenanted a mud cabin: see the pale mechanic of Lancashire, haggard with toil and weary of existence; remark the agricultural labourer, condemned to ask parochial relief to make up the

deficit of his scanty wages, and driven away like a hound by the brutal rudeness of an unfeeling overseer : count the broken hearts of disconsolate families, whose dearest members are forced to emigrate from their native homes, in the hope of finding in a foreign land that bread, which is denied to them in their mother-country. Now balance the account, and determine, if the gorgeous tinsel of aristocracy has not been purchased at too dear a rate ; determine, if the Christian spirit of a Christian country ought to sanction a system, which bolsters up rents by impoverishing the rest of the community !

Ye friends to truth, ye statesmen who survey,
The rich man's joys encrease, the poor's decay,
'Tis yours to judge, how wide the limits stand
Between a *splendid* and a *happy* land.
Kingdoms at length, to sickly greatness grown,
Boast of a florid vigour, not their own ;
At every draught more large and large they grow,
A bloated mass of rank unwellid woe,
Till sapped their strength, and every part unsound,
Down, down they sink, and spread a ruin round.

The injurious policy of creating artificially high prices, is not confined to corn. Though nothing appears plainer than the rule of buying as cheaply as we can, and selling as dearly as we can ; though nothing appears more rational than to prefer a superior to an inferior article, yet both these obvious principles are violated by our present commercial system. Of this we have a striking example in the timber trade. It is well known that the Baltic timber is far preferable to that of Canada ; yet, while every impediment is thrown in the way of the former, every encouragement is given to the latter. A similar quantity and dimension of Baltic deals is loaded with a duty of twenty pounds, while that of Canada pays only twenty shillings. Baltic oak plank is taxed four pounds, while that of Canada escapes with fifteen shillings. An inspection of the tariff, published in MacCulloch's Dictionary of Commerce, will show the same inequality in all sorts of wood from the two countries.

It has been stated by Sir Robert Seppings, the late surveyor of the navy, that frigates, built of Baltic fir, lasted eight years ; whereas frigates, built of North American fir, lasted only four years. He has further declared, that the navy had suffered considerably from the use of Canada timber, so much so that he could only apply it for deals and masts. Mr. Copland has affirmed that if two planks of American timber were laid on each other, and suffered to remain in that position for twelve months, they would have the dry rot almost invariably to a certain extent. These considerations alone should induce the government to admit Baltic timber, at least on equal terms with that of Canada. But the evil is not confined to the navy and the commercial marine : it also affects our manufactures and trade. In all establishments, wood is indispensable.

The buildings which contain machinery, and the machinery itself, cannot be constructed without wood; neither can a common dwelling, nor a plough, nor a waggon. Surely they ought to be made of the cheapest and best materials, but our legislators say that they shall be made of the dearest and the worst, by putting an excluding duty on Baltic timber. But the whole of the mischief is not yet dragged into light. The northern countries of Europe have no manufactures of their own: they would gladly be the customers of England, and exchange their raw materials for our cottons and hardware, but we have closed our market against them, by refusing to take on fair terms either their corn or their timber. Who then can wonder at the stagnation of trade, or the cry about glutted markets. Our ships cannot, at most, make more than two voyages annually to Canada: in the same time they may make six to Norway, three or four to Prussia, or two to Russia: so that whether we consider the cheapness, the durability, or the importance of European timber, the great outlet the North of Europe affords for our manufactured goods, or the increased rapidity of intercourse, and consequently of circulation, whether it regards money or commodities, all our national interests are injured by bolstering up an artificial timber trade with Canada.

It may be objected to these remarks, that the mother-country ought to support her colony. Let us examine this popular doctrine. All colonies must be in one or other of these two positions: either they are unable, or they are able, to maintain themselves by their own unaided means. If they are unable, then the deficiency must be supplied by the mother-country, in which case the colony is a dead loss: if, on the contrary, they are able to maintain themselves, they will at once declare themselves independent, and throw off their allegiance. On either supposition, then, the advantage of colonies appears to be rather imaginary, than real. As soon as the United States of America felt their strength, they shook off the yoke of England. St. Domingo emancipated itself from the dominion of France. Brazil separated itself from the crown of Portugal, and Spanish America has bidden defiance to the court of Madrid. As in the helplessness of youth, the child obeys his parents, so do infant colonies submit to the laws of the mother-country; but when the child attains to manhood, he becomes impatient of his father's authority, and, in a similar spirit, a matured colony disdains the controul which it can fearlessly resist. Does any man suppose that Australasia will always acknowledge the supremacy of Great Britain? Were she to revolt, when her wealth and population would justify the attempt, does any man imagine that she could be re-conquered into submission? We may hope to retain possession of such places as Gibraltar, Malta, St. Helena, and the island of Ascension, but these are rather fortresses than colonies, and they are too small ever to acquire independent power. The possession of such countries as Canada, Van Dieman's Land and Botany Bay, in no respect tend

to promote national wealth. They are indeed sources of ministerial patronage, and lucrative to the junior members of the aristocracy, from the many official situations which they retain in existence, but they are pure loss to the people at large. We ought to cultivate commercial relations with our nearest neighbours in Europe, by putting an end to restrictive duties, instead of sacrificing our best interests to promote the advantage of people who will assuredly, at no distant date, emancipate themselves from our controul. We are at the expense of a civil and military establishment in Canada, from which we import bad timber, and that expense ought to be added to the cost of production : but Norway, Prussia and Sweden defray all the charges of their own government, and yet we refuse to take their good timber, which refusal prevents their taking our cottons and hardware. Was there ever a greater burlesque on commercial legislation !

Free trade is of such vast importance to the wealth of nations, that the ruinous consequences of the prohibitory system cannot be too prominently brought before public view. Monopoly is a monster against which every man ought to raise his hand. All commerce being founded on a fair principle of reciprocity, a country that refuses to import must cease to export. A nation, which resolves not to buy, cannot expect to sell. Nature, in the infinite variety of her productions, has given to different parts of the habitable globe different capabilities. Commodities, which she withholds from one latitude, she lavishes upon another ; but man, no matter where he lives, desires to partake of all her widely distributed bounties. It is his own fault if he does not obtain his due share of her prodigal munificence. But nature is just, and therefore abhors monopoly. She speaks to all to love their neighbours as themselves, and to do unto others that which they would have others do unto them, so closely is the divine command pronounced for our happiness interwoven with the commercial system. Give me bread, says the manufacturer to the agriculturist, and I will give you clothing ; but if you will not give me bread, I will not give you clothing, and the consequence of our mutual obstinacy will be, that while I starve from hunger, you will perish from cold, though both of us have a superfluity of the article which each of us requires.

This is a fair, and by no means an exaggerated view of the prohibitory system. We have seen its effects in the timber trade. Let us now view its operation in the wine trade, and the consequences it has produced in the department of the Gironde in France. The annual value of the wine, capable of being manufactured in that district, amounts to upwards of thirty millions sterling, and the persons employed in its production are estimated at three millions, or one-third of the whole population. It might be supposed that the inhabitants of this fertile territory were rich and comfortable ; the reverse, however, is the truth. Such is the poverty of the owners of the vineyards, that their produce is con-

stantly sold by the revenue officers in payment of arrears of taxes, and it usually fetches, under such circumstances, about two-thirds of its real value. The exports from Bordeaux are continually diminishing, and the shipping of the port is annually on the decline. The department of the Gironde is an essentially agricultural district : nature has imprinted this mark upon it, but the perverseness of legislation has blasted this genial luxuriance by a prohibitory system, and rendered this rich land almost as valueless as though it were parched with irreclaimable sterility.

What is the condition of the Gironde in reference to national wealth ? A district producing one billion and sixty millions of gallons of wine, valued at between thirty and forty millions sterling. Nature gives her this source of wealth. Why then is she impoverished ? because man steps in and prevents the produce being sold ; for a country that refuses to import, must cease to export. The French tariff excludes the sugar of Brazil, to give a monopoly in that article to the planters of Martinique and Guadeloupe. It prohibits the cottons and hardware of England, the iron of Sweden, the linens of Germany, and the cattle of Switzerland and Wirtemberg. Thus then France refuses to buy the staple commodities of five different nations, who are in consequence disabled from purchasing the wines of the Gironde, the staple commodity of that district. This mischievous policy is enforced to prop up two small colonies and the iron masters, in all one hundred thousand persons, to the detriment directly of three millions employed in her vineyards, and indirectly of the whole population, save and except the aforesaid planters and iron masters. France pays twice as much as she need do for her sugar, and four times as much as she need do for her iron, thus not only making a dead loss on her protected articles, but actually incurring that loss to close the market against her own wines and brandies. France cannot export, because her commercial laws will not allow her to import. Her rulers strive in vain to make her a manufacturing country, and prevent her turning to account her agricultural advantages. Like the dog crossing the brook, they lose the substance in grasping at a shadow.

The folly and mischief of the prohibitory system have not been confined to Europe. The American congress, till very recently, adopted the same fatal error, and the foreign trade of the United States was nearly stationary for the ten years ending with 1830. Though that country possesses vast tracts of unappropriated land and a comparatively thin population, an attempt was made to force *prematurely* the growth of native manufactures, by excluding all foreign commodities. On this erroneous policy, Mr. MacCulloch has made the following sound and instructive remarks. "From 1816 to 1832, the object of the American legislature was to bolster up a manufacturing interest, by imposing oppressive duties on most manufactured articles imported from abroad. Now, it is obvious, even had the articles produced in America by the agency of this plan

been as cheap as those they superseded, that nothing would have been gained by it ; for, to whatever extent the importation of foreign articles may be diminished, there must be a corresponding diminution in the exportation of native American products ; so that the only result would have been the raising up of one species of industry at the expense of some other species, entitled to an equality of protection. But the American system was not so innocuous. Instead of the goods manufactured in the States being as cheap as similar ones manufactured in Europe, they were admitted to be, at an average, from 30 to 100 per cent. dearer ! The extent of the pecuniary sacrifice that was thus imposed on the Union has been variously estimated by American writers ; but we have been assured by those who have had the best means of knowing, that it may be moderately estimated at from eleven to thirteen millions sterling ! And this immense burden—a burden nearly three times as great as the whole expenditure of the republic—was incurred for no purpose of public utility, and was productive of nothing but mischief. The whole effect of the scheme was to divert a certain amount of the national capital from the production of cotton, wheat, rice, tobacco, &c., the equivalents sent to foreigners in payment of manufactured goods, to the direct production of these goods themselves ! And as the latter species of industry is nowise suitable to America, a tax of thirteen millions per annum was imposed on the Union, that the manufacturers might be enabled to continue a losing business."

Nothing can be more conclusive than the facts adduced by Mr. MacCulloch, or more cogent than his reasoning. The system, however, has happily worked its own cure. It produced a schism between the Northern and Southern States. The planters found that the market for their cotton and tobacco was closed, and South Carolina at last refused to obey the custom acts, and to repel force by force. Mr. Clay's New Tariff Bill was then enacted : the duties were lowered, and civil war was averted. Thus it appears that financial ignorance might have dismembered the Union. Such is the high importance of useful knowledge in guarding nations as well as individuals against error. It is not perhaps affirming too much, that the continental system was the main cause of the downfall of Napoleon, who, in the blind expectation of destroying the commerce of England by shutting her out of the European market as a seller, at the same time prevented her from being a purchaser, and thus made an enemy of every merchant, farmer, and tradesman, in the countries subjected to his sway. May his fate be a warning to all military despots, and may they learn from it, that no nation can aggrandize itself by ruining its neighbour, for, when the true principles of commerce are known to depend on reciprocity, men must be indeed insane who slaughter their own customers. War is like the foolish countryman who, instead of feeding and cherishing the fowl that laid golden eggs, wrung its neck in the hope of finding the mine in its stomach.

It was formerly held, as a sound principle of diplomacy, that any given nation would be prosperous in proportion as it choked up the sources of wealth among its neighbours. The statesmen of those days repudiated the doctrine of "Live and let live." They acknowledged the importance of the division of labour when applied to the productions of their own country, but they were too short-sighted to recognize the utility of its extension among all mankind. In respect to foreign trade, nature has laid the foundation of this principle in inherent differences of soil and climate, which creates marked differences in raw material. The exchangeable value of this varied produce, whether in the form of raw material or manufactures, must always be affected by its excess in some countries and its deficiency in other countries, thus giving birth to supply and demand, the presence of both of which is essential to barter. A man who should attempt to grow cotton in England under hot houses would be considered a maniac, and the people of Bengal would be laughed at if they attempted to manufacture it when grown. Here then we see two countries, separated by thousands of miles, with a diversity of soil and climate, mutually benefitted by the division of labour; for, though the raw cotton has to be shipped to Lancashire, and, when wrought, reshipped to India, the Hindoos can buy it for less money than it would cost them to manufacture it at home. By following out this principle, it is clear that England ought to supply herself with the corn of Poland, instead of forcing a niggardly and unsuited soil to raise crops which nature never intended it to bear. The north of Europe would then cease to waste its capital in pushing forward unprofitable manufactures, and supply herself from England. The French government should forthwith repeal its prohibitory tariff, and, eschewing the drivelling foolery of our being their natural enemies, take our iron and cutlery on fair terms, and thus give vent to their wines. By this friendly intercourse all would flourish: we should hear no more of glutted markets and the stagnation of trade: the bond of mutual interest would so closely unite different nations, that they would regard each other as brothers, and war would cease, because war would snap asunder the links of that social chain which commerce would have forged.

Take the case of a retail tradesman, a grocer, for instance, about to start in business. If he had the choice of selecting his own field of operations, he would assuredly prefer a crowded and wealthy neighbourhood, to one that was scanty and poor. Every dealer appreciates the advantage of what is called "situation," and it is well known that the rent of a shop greatly depends on its locality. Now, if this be true of the home trade, it is equally true of the foreign trade; and, instead of envying the prosperity of surrounding nations, we ought to rejoice at every advance they make in wealth. They are better able to supply us with those articles which we cannot raise ourselves, and at the same time better able

to purchase those commodities which we have in excess. It cannot be too strongly impressed on the mind, that exportation and importation are, and must ever be, based on reciprocity, and that a country that cannot, or will not buy, must not expect to sell. The celebrated Hume, in his *Essay on the Jealousy of Trade*, denouncing the stupid policy of attempting to impoverish our neighbours, has the following excellent remarks : " Were such narrow and malignant politics to meet with success, we should reduce all our neighbouring nations to the same state of sloth and ignorance that prevails in Morocco and the coast of Barbary. But what would be the consequence ? They could send us no commodities ; they could take none from us ; our domestic commerce itself would languish from want of emulation, example, and instruction ; and we ourselves should soon fall into the same abject condition to which we had reduced them. I shall, therefore, venture to acknowledge, that not only as a man, but as a British subject, I pray for the flourishing commerce of Germany, Spain, Italy, and even France itself. I am, at least, certain that Great Britain, and all those nations would flourish more, did their sovereigns and ministers adopt such enlarged and benevolent sentiments towards each other."

The condition of Spain is a striking example of the evils of the prohibitory system. Since the reign of Philip the Second, she has been rapidly retrograding ; her population has declined, her trade has fallen off, and her public revenue has been all but extinguished. The country which sent to sea the famous Armada, had not very recently a single vessel of war. She still, however, possesses all the natural advantages of climate, soil, and situation, which she enjoyed in her more prosperous days, but their value is destroyed by the absurdity of her custom-house laws. The duties levied upon British manufactured goods amount, in many cases, to 100 per cent., a temptation to smuggling not to be resisted, and thus the whole country swarms with guerillas by whom this illicit trade is carried on. Smuggling is not only a financial, but a moral evil, for it engenders habits of life peculiarly hostile to peaceful industry, and gives a predatory and reckless character to the population. Mr. Inglis, in his able work entitled "*Spain in 1830*," thus expresses himself : " As one example of the impolicy of the system, I may cite a fact respecting the trade in salted fish, the returns of which I have before me. The import of this article into Cadiz in one year, before that city was made a free port, amounted to four vessels, whose cargoes reached 4,092 cwt. ; while at the free port of Gibraltar, in the same year, forty-one vessels entered with 89,106 cwt., the whole of which was intended for the illicit trade, and passed into Spain through the hands of the smugglers. The duty on this article is more than 100 per cent. ; the smuggler considers himself remunerated by a gain of 25 per cent. ; so that the article which finds its way into the market through the contraband trade, is sold 75 per cent. cheaper than that which is admitted upon payment of the regular duties."

Experience has abundantly proved that the prohibitory system always creates smuggling. To counteract illicit trade, a heavy tax is placed on the country in the shape of revenue cruisers, land police, and custom house officers, but no vigilance on the part of the government, no severity of law, can put down the contraband system. High duties are in fact a premium offered to the smuggler, and so long as they continue, he will pursue his calling. This monstrous policy saps the morals of a nation, for many are induced to commit perjury in taking what is called a custom house oath. So that in whatever point of view we consider the prohibitory system, we find it fraught with unmixed evil, drying up the sources of national wealth, creating jealousies among different nations, driving industry out of its natural channels, and thwarting the benevolence of the Almighty.

The facts already stated and the arguments deduced from them will, it is to be hoped, place the importance of free trade in a clear point of view. In matters of finance, as in every thing else, knowledge is power; and we have seen, in numerous instances, that ignorance of the true principles of commerce has sacrificed the substance of wealth to the shadow. Nations, by attempting to impoverish each other, have impoverished themselves, and the refusal to buy the commodities of their neighbours on fair terms, has closed the foreign market against their own goods. Nature has distributed her bounties in various parts of the world, according to the difference of soil and climate: she has implanted in man a desire to enjoy them all; she has given him faculties to accomplish those desires; nay more, she has invested the magnet with the properties of an invisible guide to the navigator, and in many seas assisted his labour by those constantly recurring breezes, called the trade winds. What other inference can we draw from these circumstances, but that nature intended commerce to be the means of uniting into one family the whole human race, by making nations dependent on each other for their mutual happiness. How monstrous, then, are custom house restrictions, prohibitory tariffs, and commercial monopolies, which, instead of assisting, counteract the intentions of nature,—sacrifice general good to individual aggrandizement,—impede the march of civilization, so essentially dependent on the division of labour, and choke up the springs and fountains of national wealth. The true principles of trade teach us to buy as cheaply and to sell as dearly as we can; they tell us plainly that, if a nation will not import, she must cease to export: that purchasers and sellers must meet each other in the spirit of reciprocity, and that the progressively advancing wealth of nations depends on the division of labour and the freedom of trade.

Many persons take a singular pleasure in prognosticating the approaching downfall of British grandeur. They contend that she has attained to the zenith of her prosperity, and that she will speedily experience the fate of ancient Tyre. But against these discouraging prophecies, it is easy to

collect abundant proofs to dissipate the alarm, which ignorance has excited, and which credulity has embraced. England possesses all the elements of solid wealth, and the foundations of her strength are sufficiently ample and firm to sustain the weight of the loftiest superstructure. If she falls from her palmy state, or even if she does not continue to advance in wealth and civilization, it will not arise from any want of resources, but in consequence of those resources being abused. But even against this contingency, we can find protection in the increasing intelligence of the people, who are every year becoming more competent to see their own true interests. All government rests on opinion, and the great diffusion of knowledge, which is happily now being effected, will disperse the clouds of error, and settle public opinion on the rock of truth.

Our best security, after popular education, consists in the matured excellence of many of our institutions, nothing similar to which were known to the nations of antiquity. Foreign trade is fully protected against risk by the system of marine insurance: life insurance secures families from destitution, and fire insurance guarantees the value of buildings and manufactories. The credit and good faith of government gives stability to the public funds, and every receiver of dividends has a direct interest in improving and maintaining the laws; while the institution of Saving Banks has generated habits of prudent economy among the poorest classes, and given them a permanent stake in the welfare of the nation. There thus exists throughout Britain an implied guarantee of mutual obligation and mutual benefit among all ranks, such as never existed in any other country or in any other age, and no individual section of society can break that general guarantee without endangering their own personal securities; so inseparably are interest and duty combined.

The fixed capital of England, combined with the skill and industry of the inhabitants, exceeds that of all other nations. Her roads, her harbours, her machinery, and her shipping, constitute a mine of wealth, the value of which is incalculable. In all the useful arts, she is immeasurably in advance of all other countries, and on that account she now is, and must continue to be, the manufacturer of the whole civilized globe. Sound principles of government are now making rapid progress throughout the world, and humanity and commerce both look forward with delighted hope at the prospective regeneration of the Peninsula, when Spain and Portugal will be enabled to purchase largely the produce of English industry, and send us in return the fruits of their genial climate. Knowledge will soon convince our enlightened neighbours of France, that her own best interests have as yet been sacrificed by the absurd jealousies of trade, and she will open her ports to us on terms of just and amicable reciprocity. We see in the distant vista of futurity the emancipated people of South America rising into opulence and giving a fresh stimulus to the English market, and unless the vision be deceitful, benighted Egypt

will ere long emerge from the desolating rudeness of centuries of barbarism, and supplying from her fruitful soil the manufacturers of Lancashire with cotton, reap the reward of her agricultural industry in the receipt of British commodities.

ON PLEASURE.

STREPHON, indulge thy generous flight,
 And rove with spirit unconfined,
 The primrose paths of gay delight
 And give dull scruples to the wind :
 Through every night and every day,
 Let festive pleasure guide thy way,
 And o'er thy every thought maintain unrivalled sway. }

Where Comus holds his jovial court
 With sparkling nectar fill the bowl,
 While the free sons of gladness sport,
 And wit darts sunbeams on the soul :
 While loud the cheering carol rings,
 Or harp resounds with sprightly strings,
 Till mirth in triumph soar with full expanded wings. }

Hie thee anon to Celia's bower,
 Clasp the dear charmer to thy breast,
 And, rapt by love's ecstatic power,
 Confess thy soul supremely blest.
 Should Celia's luscious beauties cloy,
 Let fresher charms thy heart employ,
 And plunge anew in gulphs of highly seasoned joy. }

Thus folly chaunts her siren lay :
 Yet, Strephon pause to fix thy choice,
 Till with attention thou shalt weigh
 The sober strains of wisdom's voice.
 She, not a flatterer, but a friend,
 Will point the perils that attend,
 And prove these brief delights in lasting woes must end. }

Deluded rover, think in time,
 Ere pleasure's bane thy vitals seize,
 To jocund youth, sweet hour of prime,
 Succeeds a train of vulgar days.
 Ere long thy life blood's fervid tide
 In languid rounds will feebly glide,
 And with it all thy glee and revelry subside. }

Ah ! trust not youth ; for reason's eye,
 Beneath his masque of luring smiles,
 Can well discern the traitor sly,
 And in his fondness mark his wiles.
 He soothes thee only to betray,
 Clasped by the hand, in winning way,
 He leads thee step by step to weakness and decay. }

The river thus, that murmurs by,
Feeds a fair tree's luxuriant pride,
And bids its branches tower on high,
And spread their verdure o'er the tide ;
While all the time the insidious foe
Unnoticed aims the certain blow,
And gradual saps its root, and lays its beauties low. }

The hours, that now so gaily dance
With feathered feet, will soon be past ;
Soon will the heavy days advance
With doubts and bodings overcast :
A lowering gloom thy soul shall shroud,
While Conscience, seated in the cloud,
Shall lance her livid flash, and roll her thunders loud. }

The fears of something past the grave,
Which youth's quick pulses now controul,
Anon shall every fence outbrave,
And burst, like torrents, on the soul.
Alas ! 'tis then the excluded thought
Shall rush with tenfold terror fraught,
And keenest anguish prove thy joys are dearly bought. }

Thus if a host has long assailed
The walls of some devoted town,
When at the last its works have failed,
And all its towers are battered down,
The more delay the siegers found,
The harder toil to win the ground,
More fierce they mount the breach, and pour wild havoc round. }

What scenes thy thoughtless youth prepares
For the dull days of drooping age,
When tottering limbs, and hoary hairs,
The king of terrors near presage.
This world no solace shall supply ;
The next shall scowl with threatening eye ;
And wearied out with life, thy soul shall dread to die. }

So from a cliff's aerial brow,
If slips perchance some heedless swain,
And midway meets a thorny bough,
He gripes it with an eager strain ;
Hopeless and horrid is his state ;
His anguish, while he clings, is great ;
And should he part his grasp, perdition is his fate. }

JOHN ELWES, THE MISER.

THE family name of Mr. Elwes, was Meggot, and as his name was John, the conjunction of Jack Meggot, made strangers sometimes imagine that his intimates were addressing him by an assumed appellation. His father

was a great brewer of great eminence. His dwelling-house and offices were situated in Southwark ; which borough was formerly represented in parliament by his grandfather, Sir George Meggot. Mr. Clowes is now in possession of the above premises. He purchased during his life, the estate now in possession of the family at Marcham, in Berkshire, of the Calverts, who were in the same line. The father died while the late Mr. Elwes was only four years old ; so, little of the character of Mr. Elwes is to be attributed to him ; but, from the mother, it may be traced at once ; for though she was left nearly one hundred thousand pounds by her husband—she starved herself to death ! The only children from the marriage above, were Mr. Elwes and a daughter, who married the father of the late Colonel Timms—and from thence came the intail of some part of the present estate.

At an early period of life he was sent to Westminster School, where he remained for ten or twelve years. During that time, he certainly had not misapplied his talents—for he was a good classical scholar to the last ; and, it is a circumstance not a little remarkable, though well authenticated, that he never read afterwards. Never was he seen at any period of his future life with a book, nor had he, in all his different houses left behind him, books that would, were they collected together, sell for two pounds. His knowledge in accounts was still more trifling, and, in some measure, may account for the total ignorance he was always in, as to his own affairs. From Westminster School, Mr. Elwes removed to Geneva, where he soon entered upon pursuits more agreeable than study. The riding master of the academy there, had then to boast, perhaps, three of the best riders in Europe, Mr. Worsley, Mr. Elwes, and Sir Sidney Meadows. Of the three, Elwes was reckoned the most desperate : the young horses were always put into his hands, and he was the rough rider to the other two.

On his return to England, after an absence of two or three years, he was to be introduced to his uncle, the late Sir Harry Elwes, who was then living at Stoke, in Suffolk, perhaps the most perfect picture of human penury that ever existed. The attempts of saving money were, in him, so extraordinary, that Mr. Elwes, perhaps, never quite reached them, even at the last period of his life.

His possessions at the time of his death, were supposed to be, at least two hundred and fifty thousand pounds ; his annual expenditure was about one hundred and ten pounds.

However incredible this may appear, it is yet strictly true ; his clothes cost him nothing, for he took them out of an old chest, where they had lain since the gay days of Sir Jervaise.

He kept his household chiefly upon game, and fish which he had in his own ponds ; and the cows which grazed before his own door, furnished milk, cheese, and butter, for the little economical household. What fuel he did burn, his woods supplied.

To this uncle and this property Mr. Elwes succeeded, when he had advanced beyond the fortieth year of his age. And for fifteen years previous to this period, it was, that he was known in the fashionable circles of London. He had always a turn for play ; and it was only late in life, and from paying always, and not always being paid, that he conceived disgust at the inclination.

The theory which he possessed, " that it was impossible to ask a gentleman for money," he perfectly confirmed by the practice, and he never violated this feeling to the latest hour of his life.

On this subject, which regards the manners of Mr. Elwes, gladly I seize an opportunity to speak of them with the praise that is their due. They were such—so gentle, so attentive, so gentlemanly, and so engaging, that rudeness could not ruffle them, nor strong ingratitude break their observance. He retained this peculiar feature of the old court to the last; but he had a praise far beyond this; he had the most gallant disregard of his own person, and all care about himself ever witnessed in man.

It is curious to remark how he then contrived to mingle small attempts at saving, with objects of the most unbounded dissipation. After sitting up a whole night at play for thousands, with the most fashionable and profligate men of the time, amidst splendid rooms, gilt sofas, wax lights, and waiters attendant at his call, he would walk out at about four in the morning, not towards home, but into Smithfield! to meet his own cattle which were coming from Haydonhall, a farm of his in Essex. There would this same man, forgetful of the scenes he had just left, stand in the cold or rain, bartering with a carcass butcher for a shilling! Sometimes, when the cattle did not arrive at the hour he expected, he would walk on in the mire to meet them; and, more than once, has gone on foot the whole way to his farm without stopping, which was seventeen miles from London, after sitting up the whole night. He always travelled on horse-back. To see him setting out on a journey, was a matter truly curious; his first care was to put two or three eggs, boiled hard, into his great coat pocket, or any scraps of bread which he found—baggage he never took—then, mounting one of his hunters, his next attention was to get out of London, into that road where turnpikes were the fewest. Then, stopping under any hedge where grass presented itself for his horse, and a little water for himself, he would sit down and refresh himself and his horse together.

In the life of Mr. Elwes, the luxuriant sources of industry or enjoyment all stood still. He encouraged no art, he bestowed not on any improvement; he diffused no blessings around him; and the distressed received nothing from his hand. What was got from him, was only obtained from his want of knowledge—by knowledge that was superior, and knaves and sharpers might have lived upon him, while poverty and honesty would have starved. But not to the offers of high interest alone, were his ears open. The making him trifling presents, or doing business for him for nothing, were little snug allurements, which, in the hands of the needy, always drew him on to a loan of money. A small wine merchant, who had these views, begged his acceptance of some very fine wine, and in a short time obtained the loan of some hundred pounds. Old Elwes used ever after to say, "It was, indeed, very fine wine, for it cost him twenty pounds a bottle!"

Mr. Elwes, from his father Mr. Meggot, had inherited some property in houses in London, particularly about the Haymarket, not far from which old Mr. Elwes drew his first breath, for, by his register, it appears he was born in St. James's parish. To this property he began now to add by engagements with one of the Adams, about building, which he increased from year to year to a very large extent. Great part of Marylebone soon called him her founder.

Portland Place and Portman Square, the riding houses and stables of the second troop of life guards, and buildings too numerous to name, all rose out of his pocket. In possessions so large, of course it would happen that some of the houses were without a tenant; and, therefore, it was the

custom of Mr. Elwes, whenever he went to London, to occupy any of these premises which might happen to be vacant. He had thus a new way of seeing London and its inhabitants, for he travelled in this manner from street to street; and whenever any body chose to take the house where he was, he was always ready to move into any other. He was frequently an itinerant for a night's lodging; and though master of above an hundred houses, he never wished to rest his head long in any he chose to call his own. A couple of beds, a couple of chairs, a table, and an old woman, were all his furniture, and he moved them about at a minute's warning. The scene which terminated the life of this old woman, is not the least singular among the anecdotes that are recorded of Mr. Elwes. But it is too well authenticated to be doubted. I had the circumstance related to me by the late Colonel Timms himself.

Mr. Elwes had come to town in his usual way, and taken up his abode in one of his houses that were empty. Colonel Timms, who wished much to see him, by some accident was informed that his uncle was in London, but then how to find him was the difficulty. He enquired at all the usual places, where it was probable he might be heard of; he went to Mr. Hoare's, his banker; to the Mount Coffee-House; but no tidings were to be heard of him. Not many days afterwards, however, he learnt from a person whom he met accidentally, that they had seen Mr. Elwes going into an uninhabited house in Great Marlborough-street. This was some clue to Colonel Timms: and away he went thither. As the best mode of information, he got hold of a chairman—but no intelligence could he gain of a gentleman called Mr. Elwes. Colonel Timms then described his person—but no gentleman had been seen. A pot boy, however, recollected that he had seen a poor old man opening the door of the stable, and locking it after him; and from every description, it agreed with the person of old Mr. Elwes. Of course, Colonel Timms went to the house: he knocked very loudly at the door, but no one answered. Some of the neighbours said they had seen such a man, but no answer could be obtained from the house. On this added information, however, Colonel Timms resolved to have the stable door opened, and a blacksmith was sent for, and they entered the house together. In the lower parts of it, all was shut and silent. On ascending the stair case, however, they heard the moans of a person, seemingly in distress. They went to the chamber, and there, upon an old pallet bed, lay stretched out, seemingly in death, the figure of old Mr. Elwes. For some time he seemed insensible that any body was near him; but on some cordials being administered by a neighbouring apothecary, who was sent for, he recovered enough to say: "that he had, he believed, been ill for two or three days, and that there was an old woman in the house, but for some reason or other she had not been near him. That she had been ill herself, but that she had got well, he supposed, and gone away."

On repairing to the garrets, they found the old woman, the companion of all his movements, and the partner of all his journeys, stretched out lifeless on a rug upon the floor. To all appearances she had been dead for two days.

In three successive parliaments, Mr. Elwes was chosen for Berkshire; and he sat as member of the house of commons about twelve years. It is to his honour, an honour in these times, indeed, most rare! that in every part of his conduct, and in every vote he gave, he proved himself to be what he truly was—an independent country gentleman.

All this time the income of Mr. Elwes was increasing hourly, and his present expenditure was next to nothing; for the little pleasures he had once engaged in, he had now given up. He kept no house, and only one old servant, and a couple of horses; he resided with his nephew; his two sons he had stationed in Suffolk and Berkshire, to look after his respective estates; and his dress certainly was no expense to him; for, had not other people been more careful than himself, he would not have had it even mended.

When he left London, he went on horseback to his country seat, with his couple of hard eggs, and without once stopping upon the road to any house. He always took the most unfrequented road, but Marcham was the seat he now chiefly visited; which had some reason to be flattered with the preference, as his journey into Suffolk cost him only two pence half-penny, while that into Berkshire amounted to four pence.

When his son was in the guards, he was frequently in the habit of dining at the officers' table there. The politeness of his manners rendered him agreeable to every one, and, in time, he became acquainted with every officer in the corps; amongst the rest, with a gentleman of the name of Tempest, whose good humour was almost proverbial. A vacancy happening in a majority, it fell to this gentleman to purchase; but as money is not always to be got upon landed property immediately, it was imagined some officer would have been obliged to purchase over his head. Old Mr. Elwes heard of the circumstance, and sent him the money. He asked no security—he had seen Captain Tempest, and liked his manners; and he never once afterwards talked to him about the payment of it. On the death of Captain Tempest, which happened shortly after, the money was replaced. That Mr. Elwes was no loser by the event, does not take away from the merit of the deed; and it stands amongst those singular records of his character, that reason has to reconcile, or philosophy to account for, that the same man, at one and the same moment, could be prodigal of thousands, and yet almost deny to himself the necessaries of life!

As no gleam of favourite passion, or any ray of amusement, broke through this gloom of penury, his insatiable desire of saving was now become uniform and systematic. He used still to ride about the country on one of these mares—but then he rode her very economically; on the soft turf adjoining the road, without putting himself to the expense of shoes; as he observed, "The turf was so pleasant to a horse's foot!" And when any gentleman called to pay him a visit, and the boy who attended in the stables was profuse enough to put a little hay before his horse, old Elwes would slyly steal back into the stables, and take the hay very carefully away.

That very strong appetite which Mr. Elwes had in some measure restrained during the long sitting of parliament, he now indulged most voraciously, and on every thing he could find. To save, as he thought, the expense of going to a butcher, he would have a whole sheep killed, and so eat mutton to the end of the chapter. When he occasionally had his river drawn, though sometimes horse-loads of small fish were taken, not one would he suffer to be thrown in again, for he observed, "He should never see them again!" Game in the last state of putrefaction, and meat that walked about his plate, would he continue to eat, rather than have new things killed before the old provisions were finished.

With this diet—the charnel-house of sustenance—his dress kept pace, equally in the last stage of absolute dissolution. Sometimes he would

walk about in a tattered brown coloured hat, and sometimes in a red and white woollen cap, like a prisoner confined for debt. When any friends, who might occasionally be with him, were absent, he would carefully put out his own fire, and walk to the house of a neighbour; and thus make one fire serve both. In short, whatever Cervantes or Molière have pictured, in their most sportive moods, of avarice in the extreme, here might they have seen realized or surpassed!

His shoes he would never suffer to be cleaned, lest they should be worn out the sooner. The scene of mortification at which Mr. Elwes was now arrived, was all but a denial of the common necessities of life; and indeed it might have admitted a doubt, whether or not, if his manors, his fish ponds, and some grounds, in his own hands, had not furnished a subsistence, where he had not actually any thing to buy, he would not, rather than have bought any thing, have starved: strange as this may appear, it is not exaggerated. He, one day, during this period, dined upon the remaining part of a moor hen, which had been brought out of the water by a rat! and at an other, eat an undigested part of a pike, which the larger one had swallowed, but had not finished, and which were taken in this state in a net! At the time this last circumstance happened, he discovered a strange kind of satisfaction, for he said: "Aye, this was killing two birds with one stone!" In the room of all comment—of all moral—let me say, that at this time Mr. Elwes was perhaps worth nearly eight hundred thousand pounds! and, at this period, he had not made his will,—of course, was not saving from any sentiment of affection for any person.

As in the day he would allow himself no fire, he went to bed as soon as day closed, to save candle; and had began to deny himself even the pleasure of sleeping in sheets. In short, he had now nearly brought to a climax the moral of his whole life—the perfect vanity of wealth.

On removing from Stoke, he went to his farm-house at Haydon Hall; a scene of more ruin and desolation, if possible, than either his houses in Suffolk or Berkshire. It stood alone, on the borders of Epping Forest; and an old man and woman, his tenants, were the only persons with whom he could hold any converse. Here he fell ill; and, as he would have no assistance, and had not even a servant, he lay unattended and almost forgotten for nearly a fortnight—indulging, even in death, that avarice which malady could not subdue. It was at this period he began to think of making his will.

The property disposed of to two natural children might amount, perhaps, to five hundred thousand pounds. The entailed estates fell to Mr. Timms, son of the late Richard Timms, lieutenant-colonel of the second troop of horse guards. The close of Mr. Elwes's life was still reserved for one singularity more, and which will not be held less singular than all that has passed before it, when his disposition and his advanced age are considered. He gave away his affections; he conceived the tender passion. In plain terms, having been accustomed for some time to pass his hours, out of economy, with the two maid servants in the kitchen, one of them had the art to induce him to fall in love with her; and it is matter of doubt, had it not been discovered, whether she would not have had the power over him to have made him marry her.—But good fortune, and the attention of his friends, saved him from this last act, in which, perhaps, the pitiable infirmity of nature, weakened and worn down by age and perpetual anxiety, is in some measure to be called to account.

Mr. George Elwes having now settled at his seat at Marcham, in Berkshire, he was naturally desirous that in the assiduities of his wife, his father might at length find a comfortable home. In London, he was certainly most uncomfortable; but still, with these temptations before and behind him, a journey, with any expense annexed to it, was insurmountable. This, however, was luckily obviated by an offer from Mr. Partis, a gentleman in the law, to take him to his ancient seat in Berkshire, with his purse perfectly whole—a circumstance so pleasing, that the general intelligence which rendered that gentleman so entertaining, was not adequate to it in the opinion of Mr. Elwes. But there was one circumstance still very distressing—the old gentleman had now nearly worn out his last coat, and he would not buy a new one; his son, therefore, with a pious fraud that did him honour, contrived to get Mr. Partis to buy him a coat, and make him a present of it. Thus, formerly having had a good coat, then a bad one, and, at last, no coat at all, he was kind enough to accept one from a neighbour. Mr. Elwes carried with him into Berkshire five guineas and a half, and half a crown. Lest the mention of this sum may appear singular, it should be said, that previously to his journey he had carefully wrapped it up in various folds of paper, that no part of it might be lost.

On the arrival of the old gentleman, Mr. George Elwes and his wife, whose good temper might well be expected to charm away the irritations of avarice and age, did every thing they could to make the country a scene of quiet to him. But “he had that within” which baffled every effort of this kind. Of his heart it might be said, “there was no peace in Israel.” His mind, cast away upon the vast and troubled ocean of his property, extending beyond the bounds of calculation, returned to amuse itself with fetching and carrying about a few guineas, which, in that ocean, were indeed a drop.

The first symptoms of more immediate decay, was his inability to enjoy his rest at night. Frequently would he be heard at midnight, as if struggling with some one in his chamber, and crying out, “I will keep my money—I will—nobody shall rob me of my property!”

On any one of the family going into his room, he would start from this fever of anxiety, and, as if waking from a troubled dream, again hurry into bed, and seem unconscious of what had happened. At other times, when perfectly awake, he would walk to the spot where he had hidden his money, to see if it was safe. One night, while in his waking state, he missed his treasure—that great sum of five guineas and a half and a half-crown!—that great sum which he carried down into Berkshire as his last, dearest pleasure!—that great sum, which at times solaced and distracted the last moments of a man, whose property nearly reached to a million, and extended itself almost through every county in England!

The circumstances of the loss were these:—Mr. Partis, who was then with him in Berkshire, was waked one morning about two o'clock by the noise of a naked foot, seemingly walking about his bed chamber with great caution. Somewhat alarmed at the circumstance, he naturally asked, “Who is there?” on which a person, coming up towards the bed, said with great civility, “Sir, my name is Elwes; I have been unfortunate enough to be robbed in this house, which I believe is mine, of all the money I have in the world—of five guineas and a half and half a crown!” “Dear Sir,” replied Mr. Partis, “I hope you are mistaken; do not make yourself uneasy.” “Oh! no, no,” rejoined the old gentleman, “it’s all

true ; and really, Mr. Partis, with such a sum—I should have liked to have seen the end of it."

The unfortunate sum was found a few days after in a corner behind the window shutter. On the 18th day of November, 1789, Mr. Elwes discovered signs of that utter and total weakness, which in eight days carried him to his grave. On the evening of the first day he was conveyed to bed, from which he rose no more. His appetite was gone ; he had but a faint recollection of any thing about him ; and his last coherent words were addressed to his son, Mr. John Elwes, in hoping "he had left him what he wished." On the morning of the 26th of November, he expired without a sigh—with the ease with which an infant goes to sleep on the breast of its mother, worn out with "the rattles and the toys" of a long day.

ANGLO-NORMAN INSTITUTIONS.—No. 1.

THE mighty influence which the feudal system exercised on European civilization, has rendered that portion of history one of peculiar interest. Though the institutions of that era have passed away, the spirit of feudalism may yet be detected in the laws and customs of modern times. It appears to us that a series of useful articles may be introduced into this Magazine, which, while they are acceptable to the general reader, will possess a peculiar claim on the attention of the natives of the Channel Islands, who will thus become more familiarly acquainted with the usages of their Norman ancestors. By tracing the ancient polity down from its remote origin, we shall be able to point out the progressive changes which our customs have undergone, and also to form some judgment of the motives which led to the adoption of them in the first instance ; and, moreover, we may assist the studious in investigating the foundation of those rights and privileges, which are common to the people of England, and the inhabitants of Guernsey and Jersey. We are fully sensible of the difficulty attendant on the task which we have undertaken : we are aware, that the subject may be treated in various forms, and that it is impossible to adopt any one to which objections may not be started. In this respect, however, we are necessarily compelled to adopt our own discretion, and our object will be to exhibit, in a simple and popular point of view, the more prominent features of the Anglo-Norman Institutions, as they illustrate the manners, customs, and laws of the ancient rulers of the Channel Islands, and further, to notice what existing usages may be traced up to the parent stock.

As the basis of these inquiries, we must first observe that the laws of England, France, and Normandy, all originate in one and the same source. This position may be considered doubtful, and therefore it is proper at the outset to substantiate it by proof. Whatever doubts may have existed as to the origin of the French nation, that of the Anglo-Saxons has always been clear. We all know from what country Vortigern invited them over to England to resist the Picts and Scots, and that they rendered themselves masters of the country which they came to defend. With the exception of Wales, which did not change its laws, the whole nation submitted to obey those which the northern strangers imposed. Now, if the Saxon laws are conformable to those which, under Clovis, and the first race of his successors, prevailed in France, it is evident that the

first conquerors of England and the Franks, were the same people; and that they only differed in name, on account of the different cantons or districts which they inhabited.

In support of this opinion, we refer our readers, who require abundant proof, to the "*Traité sur les Coutumes Anglo-Normandes*," written by Monsieur Houard, in four quarto volumes, published in 1776, which contain a mass of learning on questions of ancient jurisprudence, and of which we shall avail ourselves largely in these articles. We may also appeal to the decisive authority of the venerable historian Bede, who calls Angulum, Angles, Corners, Anglen, the territory to which those Franks, who refused to submit to the Roman power before the time of Clovis, retired; and he fixes this territory in Saxony. Charon, in his *Universal History*, proves this fact by a multitude of testimonies which are unanswerable, particularly at page 249, and the following. Moreover, the conformity between the primitive laws of England and France is so complete and striking, that usages, and even expressions, the most peculiarly singular, are common to both nations, which are clearly indicative of the same origin.

Towards the close of the ninth century, the laws of the two countries began to assume different aspects. At that period the feudal institutions obtained in France; but Edward the elder introduced a new system into England: his legislation scarcely retained any vestiges of Saxon manners and customs, nor did it borrow any of the constituent principles of vassalage, which already in his time formed the basis and frame work of French jurisprudence.

Here then are presented two remarkable epochs in the revolutions, which the usages of the two nations have experienced.

During the first, which extends from the time of Vortigern to that of Edward the elder, we see England following the same customs which had prevailed in France from the days of Clovis to the termination of the reign of Charlemagne.

During the second, which commences with Charlemagne and finishes towards the middle of the eleventh century, while the feudal maxims were established and perfected among the French, Edward, the first of his name, and his successors, formed maxims of government which were peculiar to England, and to which the feudal institutions bear no resemblance.

Here then, the student, who may prosecute these enquiries in works of history and jurisprudence, must carefully observe that, in this second epoch, the customs of England and France throw no respective lights on each other, though they unquestionably do so in the first epoch.

We have now arrived at the conquest of England, by William, duke of Normandy. He established throughout England the feudal system, such as it existed in France under the kings of the second race, and by observing this vinculum or link in the chain, the laws of the conqueror, preserved in England to this day in the regulations of real property, dissipate all the darkness with which the cessation of the capitularies had obscured the French system of legislation towards the close of the second race, and the commencement of the third race, of their kings. From this statement, the following conclusion is deducible; to wit, that the best method of studying the ancient French laws, is to consult at first, and at the same time, the customs which were in force under the first race of the French kings, and under the English heptarchy; and afterwards to seek

out the interpretation of the feudal usages of the second race, in those which were introduced into England by the Normans.

We have thrown together these preliminary remarks, as guides to the study of Anglo-Norman institutions, and we now proceed to give an account of one of the most valuable and curious monuments of antiquity.

THE DOMESDAY BOOKS.

Mr. Stacey Grimaldi, in his *Origines Genealogicæ*, has classed these works under five divisions. 1. The Domesday Book, referring to matters from 1066 to 1086. 2. The Exon Domesday of the same date. 3. The *Inquisitio Eliensis*, also of the same date. 4. The Winton Domesday *Tempore Hen. I.* 5. The Boldon Book, from Henry I. to 1183.

The Domesday Book contained a survey of all the lands in England (excepting Northumberland, the greater part of Cumberland, the northern part of Westmoreland, and Durham), made by the order of William the Conqueror. It consists of two volumes, written in Latin, on parchment, commenced some time prior to its completion in 1086, and now in excellent preservation at the Chapter House of Westminster Abbey.* The performance was executed by commissioners, who enquired, upon oath, the name of each manor, that of its then owner, and of its owner in the time of Edward the Confessor: the number of hides; the quantity of wood, pastures, and plough land; how many ploughs were in the demesne, how many in the tenanted part of it, how many mills, fish ponds, and fisheries, with the value of the whole, both then and in the time of Edward the Confessor, also whether it were capable of improvement, or being advanced in value: the tenant of every degree, the lands they held, then, and theretofore, the number of villains and slaves, and of their cattle and live stock.

The authority of this book is never permitted to be called in question—there is no appeal from it, hence some suppose its name; others derive it from its place of deposit, the chapter house of the church (*domus dei*) at Westminster. In questions relative to tenure, the conqueror himself often submitted to it; and for a long time afterwards, none was permitted to lay claims to land before the conquest, being estopped in their proof by Domesday Book, which was regarded as the sole legal origin of landed estates. It was of great use in the twelfth and thirteenth centuries; if two lawyers disputed concerning the nature of an estate, as whether it was a manor or hamlet, they obtained the royal permission to consult Domesday Book, but not unless they both previously bound themselves to abide by its decision, nor could the judges use the least discretion on the subject. Domesday also determined the origin of noble families: all the grades of distinction, introduced at the conquest among the English, are therein accurately noted, as well as the names of those whom the conqueror elevated to rank. The commissioners, charged with drawing up this survey, took the most minute precautions to render it authentic. Before they definitively agreed on the descriptive particulars of any barony or other estate, they examined on oath the earls, barons, and their vassals; the chiefs of hundreds, their villains; the clergy; the sheriffs; in a word, all the inhabitants of every canton, who possessed any property in land.

Among the commissioners appointed to compile Domesday Book, were many Norman gentlemen whose names are recorded, and among the follow-

* It may be inspected by paying the proper officer a fee of six shillings and eight pence for a search, and four pence per line for a transcript.

ing, are some whose names are still borne by native families of the Channel Islands. The short list we subjoin is extracted from Dugdale, Carte, Rymer, and Ducarel's *Livre Rouge de l'Exchiquier*. "Nicolas de la Chesnaye, Allain de Bourville, Raoul de Hotot, Guillaume Desmares, Ferment, Homfroy d'Amisville, Osmond, D'Herouville, Payen, Foulques Varin, Dumont, Bayard, De St. Ouen, Anquetil, De La Mare, Bouteiller, Giffard, Gille, Chapelain, Normand, Le Clerc, De Simon, Foulon, &c. &c.

The Exon Domesday, preserved in Exeter Cathedral, is a description of Wilts, Dorset, Somerset, Devon, and Cornwall, and is presumed to be an exact transcript, so far as it extends, of the original returns made by the conqueror's commissioners at the time of forming the survey for the great Domesday; this copy has the advantage of having many more names of the tenants in king Edward's time, than the Exchequer Domesday.

The Inquisitio Eliensis is a document of the same kind as the Exeter Domesday, relating to lands and property in Cambridgeshire, Hertfordshire, Essex, Norfolk, Suffolk, and Huntingdonshire, belonging to the monastery of Ely, recorded afterwards in the two volumes of the Domesday survey: it has the names of the jurors in the different hundreds in Cambridge and Hertfordshire. A copy is in the British Museum; another at Trinity College, Cambridge.

The Winton Domesday is a survey of the lands belonging to Edward the Confessor, in Winchester, made on the oath of eighty-six burgesses in the time of Henry the First. The most remarkable circumstance in this book, is the number of *surnames* among the tenants of king Edward the Confessor, as Alwinus Idessone, Edwinus Godeswale, Brumanus de la Forda, Leuret de Essewem, which occur in the first page. This book is in the possession of the Society of Antiquaries.

The Boldon Book is a survey of the county Palatine of Durham, made in the year 1183; so called (as presumed by some) from Boldon in Durham, where it was compiled: the original is lost, but there are extant three very ancient copies, one in the Bishop's Office, Durham; one in the Dean and Chapter's Library, there; one at Oxford: it is a particularly valuable supplement to Domesday, as that does not contain any notice of this county. The contents of Domesday Book are summed up in the following verses:—

Quid deberetur fisco, quæ, quanta tributa,
 Nomine quid census, quæ vectigalla, quantum
 Quisque teneretur feudali solvere jure,
 Qui sunt exempti, vel quos angaria damnat,
 Qui sunt vel glebæ servi, vel conditionis,
 Quove manumissus patrono jure ligatur.

William the Conqueror divided such part of England as did not belong to the church, and was not reserved for himself, into 700 baronies or great fiefs, which he bestowed on his particular friends, and those who had signalized themselves in his service; these baronies were subdivided into 60,215 knight's fees. No Englishman had any of the first, and few only were fortunate enough to have any of the latter. Sir Matthew Hale, in his *Pleas of the Crown*, states, that several generations elapsed after the conquest, before one family of Saxon pedigree was raised to any considerable honours, or could so much as obtain the rank of a baron of the realm. The reader may judge of the unequal distribution of property from the following particulars. Those manors which, by Domesday Book, appear to have belonged to the crown, when that survey was com-

piled, are called Ancient Demeane; they amount to 1422. The number of other manors mentioned in Domesday is very great. Earl Moretaine held 793; Alan, earl of Bretagne, 442; Odo, bishop of Bayeux, 439; the bishop of Coutances, 280; Roger de Bassi, 174; Ilbert de Laci, 164; William Peverel, 162; Robert de Stadford, 150; Roger de Laci, 116; forming a total of 2720 manors, given to nine persons.

Upon this unequal distribution of national property we crave leave to make one or two remarks, although they amount to a digression from the main subject of this article. But as Great Britain is still oppressed by a bloated aristocracy, while the country is full of pauperism and crime; and as the Channel Islands have no aristocracy, and are not shocked by daily spectacles of vice and misery, we deem it appropriate to seize this occasion of showing the injurious and impolitic effects which result from the accumulation of large masses of property in few hands, such as they were after the conquest, and such as they continue to be in our days. On this point, we cite the following remarks of the late Mr. Malthus, who was by no means an opponent to aristocratical influence.

"Thirty or forty proprietors," says the late professor of political economy, "with incomes answering to between one thousand and five thousand a year, would create a much more effective demand for wheaten bread, good meat, and manufactured products, than any single proprietor possessing one hundred thousand a year. It is physically impossible indeed for a nation, with a comparatively small body of very rich proprietors, and a large body of very poor workmen, to push both the produce of the land and manufactures to the greatest extent, that the resources and ingenuity of the country would admit. Perhaps under such a division of property the powers of production might be rendered the greatest possible; but, in order to call them forth, we must suppose a passion among the rich for the consumption of manufactures, and the results of productive labour, much more excessive than has ever been witnessed in human society. And the consequence is, that no instance has ever been known of a country which has pushed its natural resources to a great extent, with a small proportionate body of persons of property, however rich and luxurious they might be. Practically it has always been found that the excessive wealth of the few is in no respect equivalent, with regard to effective demand, to the more moderate wealth of the many. A large body of manufacturers and merchants can only find a market for their commodities among a numerous class of consumers above the mere rank of workmen and labourers. And experience shows us that manufacturing wealth is at once the consequence of a better distribution of property, and the cause of further improvements in such distribution, by the increase in the proportion of the middle classes of society, which the growth of mercantile and manufacturing capital cannot fail to create."* For a practical illustration of these principles, the reader is referred to the March number of this Magazine, where the results of the subdivision of land are pointed out, in the review of M. Martin's History of the British Colonies.—To return to Domesday.

In the reign of queen Elizabeth, it was the fashion to make "small account of any ancestor except *before* the conquest, telling many fables of these ancestors then preserving their houses, honours, and armouries," but this piece of vanity was only a fable, as Wyrley states, in his "True Use of

* Principles of Political Economy, c. 7, p. 430, 31.

Armourie," 1592, p. 26. We find also, in Robert of Gloucester's Chronicle, that all the nobility were of Norman descent :

. The folk of Normandie
Among us woneth yet, and shalleth evermore.
Of Normans beth these high men that beth in this land,
And the low men of Saxons.

And again :

The most deel of hege men, that in Englonde ben
Been come of Normans, as ye now seen.

At present there are few English families who pretend to higher antiquity than the Norman invasion, and it is probable that not many of these can authenticate their pretension. On making an abstract of the English *printed* peerage, it appears that out of two hundred and forty-nine noblemen, the number of thirty-five laid claim to having traced their descent beyond the conquest ; forty-nine prior to the year 1100 ; twenty-nine prior to the year 1200 ; thirty-two prior to the year 1300 ; twenty-six prior to the year 1400 ; seventeen prior to the year 1500 ; twenty-six prior to the year 1600 ; and thirty—but little prior to the year 1700. The number of peers entered in that peerage is 294, exclusive of the royal family ; but of that list no satisfactory conclusion could be drawn, as to the commencement of the pedigrees of forty-five noblemen.

The Scotch families, whose country was not conquered by William of Normandy, and the survey of which is not contained in Domesday, boast of a very high and unbroken line of descent. The house of Mar seems to be that which can at once carry its nobility to the remotest period, and authenticate it by the best evidence. Their nobility can be traced, by tolerable proofs, at least to the days of Malcolm Canmore, A. D. 1093.

We say nothing of the Irish, who can trace their pedigrees to the Phœnicians, who built (*credat Judæus* ?) the round towers "of the first gem of the sea ;" and we are equally silent of the Welsh, who trace that very amiable gentleman, Sir Watkins William Wynn, up to Adam, having by some marvel, that we cannot fathom, recovered his genealogical tree from the devastations of the deluge. But one singular fact, we may mention, for it is unquestionably true : the descendants of Purkis, the man who carried William Rufus's body out of the New Forest after he was slain by Sir Walter Tyrrel, still reside in the New Forest, and are still called Purkis ; a remarkable instance of an admitted pedigree without the feed intervention of the quacks of the Herald's College.

THE KENTISH BALLAD.

WILLIAM the Conqueror experienced more determined resistance from the men of Kent than from any other portion of the English people. He was obliged to compromise with them, and permit them to retain many of their ancient privileges and laws.—To commemorate these struggles, the following popular ballad was composed in the sixteenth century :

I.

When as the Duke of Normandy,
With glistering spear and shield,
Had entered into fair England,
And foiled his foes in field.

II.

On Christmas day, in solemn sort,
Then was he crowned here,
By Albert Archbishop of York,
With many a noble peer.

III.

Which being done, he changed quite
The customs of this land,
And punished such as daily sought
His statutes to withstand.

IV.

And many cities he subdued,
Fair London with the rest,
But Kent did still withstand his force,
And did his laws detest.

V.

To Dover then he took his way,
The castle down to sling,
Which Arviragus builded there,
The noble British king.

VI.

Which when the brave Archbishop bold
Of Canterbury knew,
The abbot of St. Augustine's eke,
And all their gallant crew.

VII.

They set themselves in armour bright,
These mischiefs to prevent,
With all the yeomen brave and bold
That were in merry Kent.

VIII.

At Canterbury did they meet
Upon a certain day,
With sword and spear, with bill and bow,
And stopt the Conqueror's way.

IX.

"Let us not yield like bondmen poor
To Frenchmen in their pride,
But keep our ancient liberty,
What chance so e'er betide.

X.

"And rather die in bloody field
With manly courage prest;
Than to endure the servile yoke,
Which we so much detest."

XI.

Thus did the Kentish commons cry,
Under to their leaders still,
And so marched forth in warlike sort,
And stand at Swanscomb hill.

XII.

There in the woods they hid themselves
Under the shadow green,
Thereby to get them vantage good
Of all their foes seen.

XIII.

And for the Conqueror's coming there
They privily laid wait,
And thereby suddenly appalled
His lofty high conceit.

XIV.

For when they spied his approach
In place as they did stand,
Then marched they to him with speed,
Each one a bough in hand.

XV.

So that unto the Conqueror's sight,
Amazed as he stood,
They seemed to be a walking grove,
Or else a moving wood.

XVI.

The shape of man he could not see,
The boughs did hide them so:
And now his heart with fear did quake,
To see a forest go.

XVII.

Before, behind, and on each side,
As he did cast his eye,
He spied the wood with sober pace
Approach to him full rich.

XVIII.

But when the Kentish men had thus
Enclosed the Conqueror round,
Most suddenly they drew their swords,
And threw their boughs to ground.

XIX.

Their banners they display in sight,—
Their trumpets sound a charge,—
Their rattling drums strike up alarms,—
Their troops stretch out at large.

XX.

The Conqueror with all his train
Were heret sore aghast,
And most in peril, when they thought
All peril had been past.

XXI.

Unto the Kentishmen he sent,
The cause to understand,
For what intent, or what design,
They took this war in hand.

XXII.

To whom they made this short reply,
"For liberty we fight,
And to enjoy king Edward's laws,
The which we hold our right."

XXIII.

Then said the dreadful Conqueror,
"You shall have what you will,
Your ancient customs and your laws,
So that you will be still.

XXIV.

And each thing else that you will crave
With reason at my hand,
So you will but acknowledge me,
Chief king of fair England."

XXV.

The Kentishmen agreed thereon,
And laid their arms aside,
And by this mean king Edward's laws
In Kent do still abide.

XXVI.

And in no place in England else
These customs do remain,
Which they by manly bravery
Did of Duke William gain.

ROLLO, THE CONQUEROR OF NORMANDY.

HAROLD HARFAGRE, having completed the conquest of Norway about the year 870, and being desirous of procuring such repose for his subjects as dwelt along the coast, which they themselves would not grant to their neighbours, prohibited all pirates of Norway, under the severest penalties, from exercising hostilities against their own country ; but, notwithstanding this prohibition, a Norwegian duke, named Rolf, or Rollo, sprung, as it is said, from the ancient kings of Norway, made a descent on the province of Viken, nor retired thence till laden with a great booty of cattle. Harold, who was in the neighbourhood, was enraged at Rollo to the last degree for thus daring to disobey him almost in his very presence, and instantly condemned him to perpetual banishment from Norway. In vain the mother of this youth threw herself at the king's feet, imploring pardon for her son, and chaunting, according to the custom of those times, these verses, which the ancient chronicles have preserved to us : " Is the very name of your race become hateful to you ? You drive from your country one of the greatest men it has produced, the honour of the Norwegian nobility. Ah ! why will you provoke the wolf to devour the flocks, who wander defenceless through the woods ? Fear, lest, becoming outrageous, he should one day occasion great misfortunes."

The king, however, remained inflexible, and Rollo perceiving that he was for ever cut off from all hopes of return to his native country, retired with his fleet among the islands of the Hebrides, to the north-west of Scotland, whither the flower of the Norwegian nobility had fled ever since Harold had become master of the whole kingdom. He was there received with open arms by those warriors, who, eager for conquest and revenge, waited only for a chief to undertake some glorious enterprize. Rollo, setting himself at their head, and seeing his power formidable, sailed towards England, which had been long, as it were, a field open on all sides to the violences of the northern nations. But the great Alfred had, some years before, established such order in his part of the island, that Rollo, after several fruitless attempts, despaired of forming there such a settlement as should make him amends for the loss of his own country. He pretended, therefore, to have had a supernatural dream, which promised him a glorious fortune in France, and which served at least to support the ardour of his followers. The weakness of the government in that kingdom, and the confusion in which it was involved, were still more persuasive reasons to assure him of success. Having, therefore, sailed up the Seine to Rouen, he immediately took that capital of the province then called Neustria, and, making it his magazine of arms, he advanced up to Paris, to which he laid siege in form. The events of this war properly belong to the history of France ; and all the world knows, that it at length ended in the entire cession of Neustria, which Charles the Simple was obliged to give up to Rollo and his Norwegians in order to purchase a peace. Rollo received this rich province in perpetuity to himself and his posterity, as a feudal duchy dependent on the crown of France.* A description of the interview between Charles and this new

* This famous treaty was concluded at St. Clair, A.D. 912, by which king Charles agreed to give his daughter Gisele in marriage to Rollo, together with that part of Neustria called Normandy, upon condition that he would do homage for it, and would embrace the Christian religion.—Vid. *Abrégé Chronologique de l'Histoire de France*, par M. Henault.

duke gives us a curious picture of the manner of these Norwegians; for the latter would not take the oath of fealty to his sovereign lord any other way than by placing his hands within those of the king; and absolutely refused to kiss his feet, as custom then required. It was with great difficulty he was prevailed on to allow one of his warriors to perform this ceremony in his stead; but the officer to whom Rollo deputed this service, suddenly raised the king's foot so high, that he overturned him on his back; a piece of rudeness which only provoked laughter. No stronger proof can be given of the degree of terror that Rollo had inspired, or of the despicable imbecility of Charles.

Soon afterwards, Rollo was persuaded to embrace christianity, and he was baptized with much ceremony by the Archbishop of Rouen, in the cathedral of that city. As soon as he saw himself in full possession of Normandy, he exhibited such virtues as rendered the province happy, and deserved to make his former outrages forgotten. Religious, wise, and liberal, this captain of pirates became, after Alfred, the greatest and most humane prince of the time. Far from treating Normandy as a conquered country, his whole attention was employed to improve the condition of his new subjects. This country was, by the frequent devastations of the Scandinavians, rendered so desert and uncultivated, that Rollo could not at first reside in it; but Charles was obliged to yield up Brittany to him for a time, till Normandy was in a state to furnish subsistence for its new masters. Nevertheless, the fertility of the soil seconding the industry of the people, it became, in a few years, one of the finest provinces of Europe. Thus it was that this prince, afterwards known under the name of Rollo or Raoul the first, secured to his children this noble possession, which they, two hundred years afterwards, augmented by the conquest of England: as if it were destined that that island should at all times receive its sovereigns from among the northern nations. As to the French historians, they agree with the Icelandic chronicles in describing Rollo as a man of uncommon wisdom and capacity: generous, eloquent, indefatigable, intrepid, of a noble figure and majestic size. Many other Scandinavian princes are painted in the same colours. Such were Harold Harfagre, Olave Tryggveson, Magnus, king of Norway, Canute the Great, and others, men born with truly heroic qualities, which they, alas! degraded by injustice and inhumanity, but who wanted only another age and another education to render them most accomplished persons.

To illustrate further the character of this conqueror, we subjoin the following account of him from Velly's history of France:

Such was the state of France when attacked by Rollo, one of the most illustrious chiefs of the Norwegians, and whom a thousand fine qualities both of mind and heart, with the gracefulness of his person, raised above the epithet of barbarian. Having been obliged to leave Denmark, he got together a numerous band of adventurers, with whom he crossed over into England, where he gained two signal victories; then putting to sea again, he made a descent on Friesland, which he compelled to pay a tribute. Afterwards, sailing towards France, he seized on Rouen, and repaired its walls and towers, to serve him as a place of arms; from whence he used to sally out, sometimes into England, sometimes into France. Here, irritated by his miscarriage at the siege of Chartres, his ravages and cruelties were such, that deputies came from all parts, petitioning the king, to purchase peace on any terms. Rollo insisted on all that sea-coast which he had so often ravaged, and there was no denying

him. Thus that part of Neustria, which soon came to be called Normandy, from the name of its usurpers, became a separate state dependent on the crown only by an empty form of homage ; and Brittany, once a kingdom, sunk into an *arrière-fief*.

The new duke, continues Velly, after some instruction in our holy mysteries, was baptized in the cathedral of Rouen, now the capital of his dominions. It is observed on this occasion, that the Norwegians, though such enemies to the Christian name, never offered to compel any one to renounce Christianity. The only blots in Duke Rollo's or Robert's character were, that his consort Gisele, daughter of Charles, pined to death in consequence of his ill-treatment ; and his beheading two persons of note, whom the king had sent with a remonstrance against such ungenerous behaviour. As for his subjects, them he governed with the most exemplary wisdom and goodness ; and so effectually suppressed all rapine and violence, that, under his government, a pair of gold bracelets hung on an oak during three years, without any one offering to touch them. It is well known, that, for a long time after his death, the mere calling out his name implied an order for the magistrates to hasten to the spot, and quell some disturbance. This gave rise to the cry Haro in Normandy : a word derived from Ha and Raoul, as calling out for their prince's assistance. Such was the foundation of that renowned colony, whose blood, mingled with that of the Franks, gave kings to England and Sicily. From this Rollo, descended our William the Conqueror ;—and from those original Normans sprang the natives of Guernsey, Jersey, Alderney, and Serk.

Mr. Falle, in his history of Jersey, gives some interesting particulars respecting the cry of haro, and as that singular custom has the force of law even to this day in the Anglo-Norman Isles, we cannot avoid transcribing the statement from his pages.

"Whether it began," observes Mr. Falle, "through Rollo's own appointment, or took its rise among the people from an awful reverence of him for his justice, it matters not : but so it is, that a custom obtained in his time, that in case of encroachment, and invasion of property, or of any other oppression or violence, requiring immediate remedy ; the party aggrieved need do no more than call upon the name of the duke, though at never so great a distance, thrice repeating aloud Ha-Ro, &c., and instantly the aggressor was at his peril to forbear attempting any thing further. Aa ! or Ha ! is as much as to say, O, Rollo, my prince, succour me. Accordingly, with us in Jersey, continues Mr. Falle, the cry is—Haro, à l'aide, mon prince ! And this is that famous Clameur de Haro, subsisting in practice, even when Rollo was no more, so much praised and commented upon by all who have written on the Norman laws. A notable example of its virtue and power was seen about 170 years after Rollo's death, at William the Conqueror's funeral, when, in confidence thereof, a private man, and a subject, dared to oppose the burying of his body, in the following manner :

"It seems that in order to build the great abbey of St. Stephen, at Caen, where he intended to lie after his decease, the conqueror had caused several houses to be pulled down, for enlarging the area, and amongst them, one whose owner had received no satisfaction for his loss. The son of that person, (others say the person himself,) observing the grave to be dug on that very spot of ground, which had been the site of his father's house, went boldly into the assembly, and forbid them, *not in the*

name of God, as some have it, *but in the name of Rollo*, to bury the body there.

"Paulus Æmilius, who relates the story, says, that he addressed himself to the company in these words: He who oppressed kingdoms by his arms, has been my oppressor also, and has kept me under a continual fear of death. Since I have outlived him who injured me, I mean not to acquit him now that he is dead. The ground whereon you are going to lay this man is mine; and I affirm that none may in justice bury their dead in ground which belongs to another. If, after he is gone, force and violence are still used to detain my right from me, I appeal to Rollo, the founder and father of our nation, who, though dead, *lives in his laws*. I take refuge in those laws, owning no authority above them.

"This uncommonly brave speech, spoken in presence of the deceased king's own son, Prince Henry, afterwards king Henry the First, of England, wrought its effect. The Haro was respected, the man had compensation made him for his wrongs, and all opposition ceasing, the dead king was laid in his grave."

THE TAPESTRY OF BAYEUX.

THIS curious and venerable specimen of ancient Norman manufacture, is a piece of a linen cloth, nineteen inches high, and two hundred and ten feet eleven inches long, on which various figures are traced and worked into the cloth. It forms one entire piece, and is exhibited in the nave of the cathedral of Bayeux, on the eighth day after the festival of nuns. It appears never to have been completed: the extremities are beginning to crumble away; and with a view to prevent the total loss of so precious a document of antiquity, the chapter of this church have recently resolved on making a duplicate of it, and have deposited in their archives a copy of the inscriptions which it contains. The country people in the neighbourhood of Bayeux familiarly call it, "*The toilette of William the Conqueror*:" it is to popular tradition alone that it owes this denomination. It is supposed by some, that Matilda of Flanders, queen of England, duchess of Normandy, and wife of the conqueror, weaved this tapestry, aided by her attendant ladies, while her husband was engaged in his wars. The Abbé De La Rue, professor of history at the college of Caen, and several English antiquarians, attribute this tapestry to the empress Matilda, daughter of Henry the First. But the most probable opinion is, that of Monsieur Le Prevost, member of the antiquarian society of Rouen. He thinks that a work of this description could only have been accomplished by persons who lived at the time, when the events recorded happened, and that its special destination was to ornament the church of Bayeux, the bishop of which was brother to William the Conqueror.

A copious description of this tapestry cannot fail to amuse our readers, and we hope it will be peculiarly acceptable to the natives of the Channel Islands. We have, in this view, determined to translate the account of M. Lancelot, originally published in the 8th volume of the "*Mémoires de l'Académie des Inscriptions et Belles Lettres*."

The first figure in the tapestry is that of a king, seated on a throne, a crown on his head, a sceptre in his left hand, and appearing to speak to two men, who stand before him. It is intended to represent king Edward,

who orders or permits Harold to journey into Normandy. Above these figures the following words are inscribed, *Edvardus, Rex*. At the spot where the next inscription begins, there was a hole in the cloth which has been rudely patched up; and this patch has not only obliterated a letter of the first name of the second inscription, but has also disturbed four other letters, which are at present quite awry. At the second inscription are the letters *BI*, which apparently, before the accident mentioned, were *V BI*. Harold *dux Anglorum, et sui milites equitant ad Bosham*. The meaning of this is, that Harold, after his audience with the king, set out on his expedition: he is on horseback, the hawk on his thumb, and his dogs running before him. Bosham is at present a small village in Sussex, near to Chichester: it was formerly a frequented sea-port. The next object represented in the tapestry, is a chapel or church, and the word "*Ecclesia*" is inscribed. Harold appears in the attitude of a man who prays to the Almighty for a prosperous voyage. The church is followed by an apartment in which persons are seated at table; some drink out of cups; others, out of horns; the repast finished, Harold goes down to the sea, and embarks, as explained by the inscription: *Hic Harold mare navigavit, et, velis vento plenis, venit in terram Widonis Comitis*. The Count Guy, on whose coast Harold was wrecked, was Guy, count of Ponthieu: this event is explained by the following inscription. *Hic apprehendit Wido Haroldum, et duxit eum ad Belrem, et ibi eum tenuit*. Belrem, is probably, Beaurain sur la Canche.

Harold being now prisoner of the Count of Ponthieu, it was necessary that he should be ransomed. The bargain they made is indicated by the inscription: *Ubi Harold et Wido Parabant*. As soon as William of Normandy heard of the captivity of Harold, he dispatched two ambassadors to the Count of Ponthieu demanding the release of the prisoner: the inscription here is: *Ubi nuntii Willelmi ducis venerunt ad Widonem*.

The next figure is that of an officer or domestic, who holds two horses by their bridles, and above his head is the word "*Tuold*." Who this Tuold was, it is impossible to determine; the name was a common one in those days, and the tutor of William in his boyhood, was called Tuoldus. But he was slain soon after William obtained the dukedom of Normandy; therefore he could not be the person indicated by the tapestry, who accompanied the ambassadors to the Count of Ponthieu. This count refused to surrender Harold on the first summons, and William dispatched a second deputation. The tapestry represents them riding on horseback, with the inscription showing who they were: *Ubi nuntii Gulielmi*. This second embassy prevails on Guy to liberate the captive. A courier brings the news to William. The tapestry describes this event: William is seated on his throne, holding his sword in his left hand, and advancing his right hand towards a man, who trembles with fear: this is supposed to be Count Guy: the inscription runs thus: *Hic venit nuntius ad Willelmum ducem*. After this meeting, the tapestry exhibits a castle or fortress: above the gate are two men, one of whom carries a lance: they appear to be sentinels on duty. It is probable, that this was intended to represent the castle of Beaurain, whence the count, after having released Harold, set out to deliver him into the hands of the Duke of Normandy. Guy, who is at the head of the troop, is mounted on horseback; he carries a hawk on his thumb, and, with his right hand, he points out Harold to William, who is also on horseback, and who, now being free, has resumed the customary badges of distinction, holding his hawk on his

thumb. Behind Harold are seen two files of cavaliers, accoutred with lance and buckler: they are the retinue of Count Guy. On the other side, William is seen advancing, followed by his train, armed with bucklers and lances. William, Guy, and Harold, are the only persons who wear mantles fastened at the right shoulder: all the rest have plain short dresses. Here the inscription is: *Hic Wido adduxit Haroldum ad Wilhelmum, Normannorum ducem*: Here Guy conducts Harold to William, duke of the Normans.

Eadmer, Roger de Hovedon, and many other English historians, say that Count Guy contented himself with releasing Harold, and that he did not accompany him to Normandy. The tapestry, however, is more exact, and in this particular it agrees with the statement of William of Poitiers, a contemporary historian of the reign of Duke William, and also with those of William of Malmesbury and Matthew Paris, all of whom declare that the Count of Ponthieu personally delivered up the prisoner to William. William of Poitiers even mentions the very place where this event happened: *apud Aucense castrum*, that is at Eu, which is in fact on the frontier between the two states of Normandy and Ponthieu. The Count Guy was handsomely rewarded by the duke for his generosity, and received presents of various kinds: the Chronicle of Normandy relates that he acquired a noble manor on the bank of the river Eaune, and other property. William immediately conducted Harold to Rouen. *Haroldum vero sufficientissime cum honore in urbem sui principatus caput Rothomagum introduxit*. It is Matthew Paris who makes this statement. The inscription on the tapestry is more general: *Hic dux Wilhelmus cum Haroldo venit ad palatium suum*: Here Duke William comes with Harold to his palace, without mentioning Rouen. The procession was conducted in the following manner: William, on horseback, a mantle on his shoulder, is at the head; Harold follows him, holding a hawk on his thumb, while his dogs run before him: he is only attended by a single cavalier. In front and in advance of all is another horseman, one of the squires of the duke, who advances first to open the gate of the palace, and who appears speaking to a sentinel who stands under the wall of the castle.

We next see an apartment or saloon, in which a man is seated, his hand resting on his sword, listening to the conversation of another who is standing: behind the latter are several persons armed with lances and bucklers. This is supposed to represent the interview in which William announces to Harold his intention to succeed king Edward in the throne of England, and requires of him to aid the enterprise. Harold pledges his word, and is to receive in marriage Adèle, the daughter of William. There is no inscription in this part of the tapestry, and there never was any, the elevation of the saloon, which is represented, filling up the whole space from the top to the bottom. It is followed by another, where we see an unarmed man, a mantle hanging from his shoulders, who stretches out his hand, and appears to be speaking to a female. We read: *Ubi clericus et Aelfgyva*. This is all that appears on this part of the tapestry, and the whole of the inscription. It is complete in itself, having no connection with what precedes or follows, for it is terminated right and left by a portion of the house and castle, which, throughout the whole of the tapestry, serves to distinguish one event from another. It is difficult to say precisely what is intended by these two figures and the words of the inscription: however, Aelfgyva was a very common name in England in those days.

The tapestry next alludes to the expedition which William persuaded Harold to undertake against Count Conan, in Brittany. He had sent a defiance to the duke, and announced the day on which he purposed to invade Normandy. William was not the man to slumber when he was menaced; he marched at once against his enemy; and knowing the valour of Harold, and of his associates, he proposed to him this expedition, as affording an opportunity of signalizing his prowess. The tapestry here represents William and Harold marching with their cavaliers towards Mount St. Michel. They have no longer their birds and dogs, as they always had when they journeyed for amusement: they are now equipped for war. It may be well in this place to describe the military accoutrements of this period.

The body dresses were of two sorts. One was quite plain, consisting of a common habit, which fitted close to the person; those who wore this dress had only a cap of cloth or leather on their heads, but no casque or helmet. The men who were armed in this simple way were the troops who always followed the principal leaders described in the tapestry: they were the subaltern militia, who followed the banners of the lords. The other dress was a coat of mail, covering the body from the shoulders down to the knees. The appearance of this description of armour is exactly painted in that division of the tapestry, which describes the carrying of ammunition and provisions on board the Norman vessels for the invasion of England, under the Conqueror. The soldiers had no iron head pieces, which were introduced after the time of William. In place of them, they had certainly a sort of covering, but not at all resembling that which appears in the prayer books of Charles the bald, ancient as they seem. The old head pieces of Normandy were narrow, and terminated at the top in a sharp point; they fell over and covered the back of the neck, and in front they had a projection to protect the nose against wounds in battle. This projection formed a solid part of the head piece, and in this respect was quite different from the "nasal" of later times: the latter was flexible and moveable at pleasure, so as to admit freely of respiration; but this projection in the head pieces painted on the Bayeux tapestry is fixed and immoveable: nor indeed was it required to be flexible, as the greatest part of the face was uncovered, and breathing in no respect impeded. Among the cavaliers thus armed, some had leggings, others none; these leggings were of the same material, and corresponded with the body part of the accoutrements. Their bucklers were slightly convex, somewhat oval at top, and terminated at the bottom in a point; there are however three or four in the tapestry, which have a different form; they are round, more concave, and have in the centre a sharp point, sufficiently long to serve as a weapon of attack or defence. As Duke William and his followers never used a similar weapon, it is fairly to be inferred that the tapestry, in this particular, intended to designate Harold and his followers, to whom this species of arm was indeed peculiar. All these bucklers, whether round or oval, were passed through the left arm, by means of a leather strap to which they were fastened; on some of these bucklers are painted the figures of lions, dragons, and of other fierce beasts; such, in general, were the defensive weapons.

The offensive consisted chiefly in swords, axes, lances, javelins, and arrows. The swords were long and broad, nor did they taper downwards from the hilt, but kept all through the same breadth, except at the very extremity, which was a narrow and sharp point: the guards were heavy

and strong: the swords were suspended on the left side. There was nothing peculiar, or worthy of remark, respecting the axes. The lances were very long, and the iron points were just one-sixth of the length of the wooden handles; the soldiers hurled them in the air, as is proved by many parts of the Bayeux tapestry, more especially at the raising of the siege of Dol and the battle of Hastings; and we also see arrows flying through the air. In the border which skirts that part of the tapestry which describes the first embassy from Duke William to the Count of Ponthieu, we observe a man throwing a stone from a sling at some birds. The sling was of common use in the chase; but there is not a single instance in the whole of the tapestry, in which this weapon was used in military operations. We find, however, batons or sticks, which, being much heavier at one end than at the other, may be called staves or clubs: these arms were only wielded by the serfs and peasants: the sword and the lance belonged to the free men. Almost all the horsemen had stirrups: some however had them not, and this exception indifferently applies to those who wore coat of mail, and those who wore the common plain dress. The spurs, at that time, were very short, but fashion, in later days, greatly extended their dimensions. This diversity in the accoutrements of the cavaliers, some having stirrups and spurs, and some riding without either, is further proved by the seals of that period. The saddles of the horses were heavy and rude, and closely resembled the modern pack-saddles still used in many parts of the country, for the rider was wedged in between upright pummels. There is only one sort of standard or banner described in the tapestry. It terminated in three points or pennants, and was always fixed to the end of a lance: this was called the "gonfalon," which sovereign princes, or those who represented them, were alone permitted to carry.

We left William and Harold setting out to their expedition into Brittany. The troop was composed of six or seven cavaliers: in the middle we see in the tapestry, marching in front of the others, two who are armed with coats of mail, and a casque. The one on the left, holding a lance, is Harold: the one on the right, carrying the gonfalon, which is supported on the stirrup, is William. The horseman in the centre has no coat of mail, but is dressed simply, and wears a cap. Behind them follow two men on horseback, wearing the common dress: these figures designate the duke's army. In front of the three cavaliers already mentioned, is another horseman who wears a coat of mail; but, instead of a casque, he has simply a cap, and his only weapon is a club: he is evidently not one of the villains, because he has the coat of mail, and this was only worn by those of noble condition. This is a proof, that the weapons usually confined to the serfs and peasants, were occasionally borne by persons of higher degree. Who then can this man be, so singularly accoutred, the coat of mail of the nobility, but no casque, and a simple club, instead of sword or lance? The most probable conjectures is, that he was the mace-bearer of Duke William, or some other officer attached to his more immediate household, and thus permitted to wear accoutrements intermediate between the two ranks, by virtue of his office. The inscription on the tapestry in this place, is the following: *Hic Willelm, Dux et exercitus ejus venerunt ad montem Michaelis*: Here Duke William and his army arrived at Michael's Mount. Mount St. Michel is represented by a castle built on a rock. We next see the soldiers fording a river: *et hic transierunt flumen Cosnonis*: and here they crossed the river Cosnon.

This is the river Coesnon, which still separates Normandy from Brittany. The flood tides from the sea, and the shifting of the sands, frequently change the course of the bed of this river, and render the passage difficult. The tapestry represents the army of William passing it, with very minute exactitude: we see the men on foot holding their bucklers above their heads: one horseman is figured raising his legs on his saddle; others appear thrown down by the moving sands. We observe a man drawing out a companion by his hand, and another lifting an associate on his shoulders; it is Harold who is specially named in the tapestry, as rendering these services: *hic Haroldus trahebat eos de arena*: here Harold was drawing them out of the sand. Indeed, Ordericus Vitalis describes him as a man of extraordinary stature and strength. The tapestry further seems to indicate that many lost their lives on this occasion, for on the skirt of the lower border we see a dead man extended on the bank of the river.

(*To be continued.*)

THE DOMAILLERIE COTTAGE.—A GUERNSEY LEGEND.

EVERY country has its superstitions, its traditions, and its romance. The man who pauses to examine the delicate structure of the wild flower, which his unheeding companion tramples on unmoved, or smiles at contemptuously, not only sees nature in her loveliest works, but tastes a delight that the other dreams not of; and it is thus with the traveller, who knows how to trace the character of a people in their own fanciful legends and popular superstitions: he has in his researches a well-spring of amusement, a source of real enjoyment, that a matter-of-fact superficial observer cannot appreciate.

Ireland exhibits the very essence of its national humour and propensities in the legends of the north; witness "King O'Toole and his Goose," or "Daniel O'Rourke's trip to the Moon." England has her fairies and her Robin Hood; Scotland her Rob Roy and Second Sight;—all of which we might prove to be characteristics of the people. Guernsey too has her "Bête de la Tour," and many a tale as interesting as the best of them.

A few years ago, the traveller had been a wise man indeed, if, on visiting the fishing town of St. Peter's-Port, walking up its dirty narrow High-Street, and listening to the uncouth dialect of its primitive inhabitants, he could have prophesied of the St. Peter's that now exists, with its college, its churches, its markets, and the beautiful environs of the clean pretty town. Nor is many a geographer of the present day aware that the little island, which lies like a speck upon the map of the British Channel, and boasts not of *one degree* in latitude or longitude, is, in fact, a little Athens, and lovely on the face of the wide ocean, as an oasis in the desert.

It is not my birth-place; but it is my chosen home, and every stone is sacred, every leaf a treasure, because associated with childhood's happiest hours, and imbued with a thousand fond remembrances of later days; therefore, I have great pleasure in listening to every tale connected with my favourite spot, and I have the wish to interest others in its behalf by the relation of some of its simple legends. The places and people shall be faithfully described, though the facts may have multiplied in their

progress through time, and imagination have coloured those forgotten things with the rainbow light of fiction, and the vivid hues of romance.

Near the village of King's Mills, in one of the prettiest estates on the island, is a neat little cottage, called the Domailerie, which I have often very much admired. Its situation in loneliness and beauty attracted me at those times when the heart is weary with the bustle and cares of an unsatisfying world, and seeks in solitude and quiet for the peace it has failed to find elsewhere. The most luxuriant ivy crowns the roof, and a beautiful honeysuckle mantles its walls; a well, covered with roses and a shady fig tree, stands close to the cottage door, and behind it, under a wooded bank, rises a ruin. On the opposite hill, there is a large misshapen stone, and, near it, an old well also covered with ivy and sweet briar, whilst the largest magnolia, ever seen in any but a foreign climate, grows beside it, and is said to have flourished thus from its proximity to the well, formerly known as a consecrated one, and rendered famous by its alleged miraculous healing powers. Many were the pilgrimages performed by those who suffered from what is still called "*Le Mal de la Fontaine*," and many were the prayers addressed to the patron of the well—St. Mary—by her superstitious votaries. The stone, it is added, was placed there as a waymark to the benighted pilgrim, but when and how the well ceased to be esteemed, no one could inform me. There are many unconnected tales of apparitions, unearthly sounds, and awful shrieks, resounded through the wood at midnight, which most effectually deter not only women and children, but many of the sturdy labourers, from passing that way after nightfall, and these excited my curiosity so much, that I rested not until I collected from the oldest neighbours something like the following sketch.

Many years ago the Domailerie cottage was inhabited by an extraordinary old woman unknown to every one. Whence she came, and who she was, were enigmas equally unsolveable. She was not a native, being quite ignorant of the language, and only accompanied by an infant about two years of age; so that her birth-place, and the cause of her emigration, were secrets confined to her own breast, and which she seemed in nowise disposed to trust to any of her neighbours. Her person was any thing but prepossessing, described as a tall somewhat stooping figure, generally concealed in the folds of a plaid mantle of the darkest grain, with long raven locks grizzled by time, and large fierce black eyes peering from under the shade of a close strange looking bonnet, which, together with a brow and face of peculiar expression, completely awed the most venturesome gossip in endeavours to form the slightest intimacy with the forbidding stranger.

The cottage now spoken of did not then belong to this estate, neither was it the same I spoke of in the beginning; but it stood where that tangled mass of ruins rises from the ivy and briars, that have overgrown them. It belonged to a person of the name of Dubois, a foreigner; there was a garden in front, stretching to the foot of the opposite hill, and hedged high on either side by a fence of poplars, so thickly entwined with evergreens as to be impenetrable to every eye, though overlooked from the summit of the hill, now so thickly wooded.

At the time of Margery's first appearance, some fifty winters must have passed over her. The child—her grandchild, she called her—was the most beautiful fairy-like little creature ever beheld, and the old woman seemed devoted to her charge; it was the only thing that appeared to

interest her, and the love was ardently returned by the child : never did their nearest neighbour remember to have beheld them apart—no, not for an instant. How they lived, as no one ever crossed their threshold, it was impossible to say ; but it was reasoned that, as they could not live without meat, and meat, however plentiful, was not to be had without money, they *must* have had something whereon to depend for support, particularly as Margery never sought employment beyond the house and garden, and that the child Effie was apparently supplied with every necessary, the best and finest that could be procured. They were rarely, very rarely, seen beyond the precincts of the enclosure—still more seldom known to stray further than the wood and valley that surrounded them. Now, all this was very mysterious, and at first caused no little stir amongst the gossiping neighbours of St. Mary's parish ; many were the conjectures, the whispers, and ideas set forth upon the occasion ; many were the assemblies round the tea table, or on the "*lit de fouaille*," * at which plans were proposed for the gratification of their curiosity ; all, however, proved abortive, and the taciturnity and chilling aspect of the object of their suspicions being insurmountable, the tumult gradually subsided, and a perplexing shrug, a side long glance, or bewildered stare, were the only general expressions in which they vented the disappointment of baffled inquisitiveness.

Meanwhile, time swept on in his restless course, and traced many a deeper furrow on Margery's brow, wreathing the raven lock with many a snowy braid, and casting a thicker film across the still bright eye. On Effie it had breathed tenderly—lightly ; it had moulded the fairy form to perfect symmetry, given the glowing complexion a more delicate tint, and drawn forth each intellectual power to enlighten and embellish her open countenance. Her large deep blue eyes were mild, and almost sad ; and had not a sunny smile ever played round her mouth, they would have given her a decided expression of melancholy. Her hair was of the brightest, fairest, hue, falling in rich luxuriant curls on her neck and forehead. Never were two beings more unlike in person and manners than Effie and her grandmother. The bold and haughty demeanour of the old woman melted into humility and sweetness in her child ; the stern misanthropy of Margery disappeared in the gentle bearing of young Effie, for, though she never had formed an acquaintance, or joined the sports of the children, who were frequently on the hill and in the wood, yet her pleasant smile, and a few kind words spoken in the sweetest voice, had won all hearts, and she was loved and pitied, as much as her grandmother was feared and detested.

They were often closely watched by the idle schoolboys and prying gossips, and it is spoken of as a lovely sight when they were seen together on a summer's evening seated under the fig tree beside their door ; old Margery, with one arm placed caressingly round Effie, and the other hand supporting a thick black looking volume, which she apparently read and explained to her pupil, whose rosy cheek reclined against that dark and pallid countenance, her eyes now gazing earnestly on the wondrous book—now, lifted in their innocence to meet the softened smile of her instructress. It must have been a pleasant sight ; and the neighbours often heard too from that lonely dwelling place the silvery notes of Effie's

* The green bed—a rural sofa common in every Guernsey house, composed of the green leaves of the fern in summer, and dried peas' stalks in winter.

wild, plaintive music, as she sung in the still evenings what seemed to be a foreign hymn. Sixteen years had passed without any change of place or purpose; the mist that enveloped them was as dark and impenetrable as ever, till it was rumoured that stranger sounds than those of Effie's hymn were heard at night in Margery's cottage. Some one told how they had seen two mantled figures standing at St. Mary's well, and how, upon another evening, Effie was seen alone with the stranger; but by day no trace of him was seen, not the smallest change perceptible for some months. But one night—one calm, soft, autumn night—a piercing shriek rang through the wood: once, only once, the peasant, who was passing, had heard it, yet it thrilled and re-echoed with such fearful sharpness, that it froze his very life blood, and he dared not approach the spot. In the deep silence that succeeded, there was something too appalling to be trespassed on; he returned to his home, and, the next morning, on repairing to the spot, old Margery was found seated at the foot of the great white stone beside the well, her hands clasped, her eyes wild and tearless, her cloak half cast off, and her white hair floating loosely on her shoulders. They spoke to her, but she answered not; they lifted her, called her by name, she neither heard nor heeded them; they asked for Effie, and she looked up, shrinking convulsively away and murmuring Effie—Effie—love—lost! then, all at once, she started up, tossed her arms on high, and shouted loudly, "Effie!" then, suddenly darting from them, she rushed to her cottage, whither they did not follow, and nothing more was seen of her until the following morning, when a figure was noticed leaning against the stone, one arm clasped around it, the other concealing the face in the folds of a mantle. The plaided form and streaming hair was not to be mistaken; the neighbours hastened towards the place, accosted, and would have comforted, the old woman, but it was *too late*; that proud heart beat no longer. As the mantle fell from the powerless hand, it disclosed its awful secret. The once flashing eye was fixed and glassy; the lips, compressed into a forced smile, were cold and colourless; Death was there, marbling that wasted countenance and clutching within his remorseless grasp the blighted and broken heart of poor old Margery.

The peasants, shocked and affected at the sight, removed the body: with difficulty they detached the stiffened arm from the stone and bore her to the cottage; there, on a little table, before an old arm chair, was the mysterious volume, so often on Margery's knee; it was an English bible, and on it was a paper, on which the following words were written in a clear bold hand: "Lay me where you find me." This evidently referred to her death, and accordingly permission was sought and obtained to fulfil this her last request. She was buried at the foot of the stone, and wept over by many who, during her life time, had avoided her with fear; but who now, touched by her misfortune and melancholy end, came voluntarily to pay the last tribute of respect to the remains of the unknown Margery.

The interior of the cottage was found in the neatest order, but nothing that could throw further light on the fortunes or fate of Effie was ever discovered. A heap of paper ashes in the hearth, and the absence of every article of clothing, was all that could increase or explain the mystery that hung over its late inmates. These, as will easily be believed, were repeated, added to, and commented upon, till the most fearful tales were spread concerning it: all that had ever been seen or heard came

forth to give its testimony, and to such a pitch did their superstitious rise, that the stoutest hearted peasant would cease his cheerful whistle, hurry his steps, and cast many a timorous glance towards the well, as he crossed the wood on his homeward path. No wonder, therefore, that the Domailerie so soon fell into decay, and that Dubois gladly parted with it to the owner of the Woodland estate, who built the present cottage, but has never yet persuaded a native to inhabit it.

It is said that a tall figure, with white streaming hair and a long cloak, is seen leaning against the stone at certain times, and that voices and unearthly sounds are heard at the well. This has caused the desertion of the sacred fount, for, since that time, no one has presumed to draw its waters, or cull the flowers of that magnolia. St. George's holy well is now the only one in repute; St. Mary's is neglected, and, if not forgotten, remembered but with horror, and avoided with the utmost dread.

L. L.

ANCIENT COMMERCIAL PRIVILEGES OF GUERNSEY.

As part and parcel of the Duchy of Normandy, Guernsey is a remnant of the ancient patrimonial inheritance of our most gracious sovereign from his royal progenitor William the Conqueror. The inhabitants of the Channel Islands, accordingly, can boast that they are the most ancient of his Majesty's subjects, and moreover, that they spring from the conquerors, and not from the conquered. It is owing to these circumstances that the rights, immunities, and privileges of Guernsey are of two distinct characters: first, those which have been transmitted to them by their ancestors before the conquest, from the dukes of Normandy: secondly, those which they enjoy by virtue of certain charters, conceded by the sovereigns of England and ratified by Parliament. The former regard the people of Guernsey as ancient subjects of Normandy; the latter, as English subjects.

Among the legal privileges enjoyed by the Channel Islands, one of the most important is their not being subject to the Acts of the British Parliament, unless they are specially named therein. Moreover, in order to give any Act of Parliament validity, in these bailiwicks, it must be transmitted to the Royal Courts there established, with an order from his Majesty in Council; the Bailiff and Jurats then examine it, to see if it trenches on their ancient liberties, and if it does, they send up a remonstrance to the throne, and all objectionable clauses are modified or expunged; nor does it acquire the force of law before it is registered on the records of the Island. Thus it happens that the Royal Court have a co-ordinate jurisdiction with the British legislature in framing laws for their insular government, and this privilege they derive from the old Norman institutions. A similar rule obtained in the French provinces before the revolution, whose local parliaments maintained the right of verifying and registering the royal edicts, and also of suspending them, if they militated against their privileges.

The oldest charter that is preserved entire, which Guernsey holds from the English Crown, under the great seal, in their records, is that of Henry the Sixth, and contains an insinuation of the charters of Edward the Third, Richard the Second, and Henry the Fourth and Fifth, and it begins thus: "Henry, by the grace of God, king of England and France, and Lord of Ireland: To all those to whom these presents shall come, greeting. We have seen the letters patent of the Lord Richard, late king of England, the second *after the conquest*, made in these words: Richard, by the grace of God, king of England and France, and Lord of Ireland, to all those to whom these letters patent shall come, greeting:

"Know ye, that we, considering the *good behaviour*, and *good fidelity*, which we have found from day to day in our liege and faithful nations, and communities of our islands of Guernsey, Jersey, Serk, and Alderney, have, of our special grace, granted for ourselves and heirs, (as far as in us lies,) to the said nations and communities, that they, and their heirs and successors, shall for ever *be free and acquitted* in all our cities, boroughs, markets, and trading towns, fairs, mart towns, and other places, and harbours, *within our kingdom of England*, from all sorts of tolls, exactions, and customs, in the same manner as our faithful and liege are in

our kingdom aforesaid ; provided, however, that our said nations and communities, and their heirs aforesaid, shall well and faithfully behave themselves towards us, and our heirs aforesaid, *for ever.*"

This charter of Henry the Sixth was confirmed by the Parliament of England in the following words : " Cum assensu Dominorum Spiritualium et Temporalium in parlamento nostro apud Westmons, anno regni nostri primi : With the assent of the Lords Spiritual and Temporal in our parliament held at Westminster in the first year of our reign." And it may be well to observe, (as the distinction is important and worthy of notice to all who study legal and political antiquities,) that the islanders were, at the time we are writing of, considered as Norman subjects, and as such they enjoyed, previously to this charter of Henry the Sixth, independent rights, liberties, and privileges, *as Norman subjects* ; and that the charter of Henry admitted them to participate in the immunities of English subjects, which they of course could not claim *de jure* by virtue of the institutions of Normandy.

The next important charter which we propose to notice was granted by queen Elizabeth, which begins thus : " Elizabeth, by the grace of God, Queen of England, France, and Ireland, Defender of the Faith, &c.

"To all to whom these presents shall come, greeting. Whereas our loving and faithful liege subjects, *the Bailiff and the Jurats of the Island of Guernsey, and the other sojourners in, and inhabitants of the said Island, as well as of our islands of Alderney and Serk, within the Duchy of Normandy, and their predecessors have, from time immemorial,* (beyond what the memory of man can reach,) by virtue of several charters, grants, confirmations, and most ample proofs and certificates of our illustrious progenitors and predecessors, the kings of England and dukes of Normandy, and others, have used, enjoyed, and been in possession of very many rights, jurisdictions, privileges, immunities, liberties, and franchises, freely, quietly and without any infringement of the same, as well within the kingdom of England, as elsewhere within our dominions, and other places under our subjection, on this side of, or beyond the seas : By the aid and benefit of which grants, the islands, and the maritime places aforesaid, have stood out loyally, and continued unblameably, as well in our own, as in our progenitor's service, and have enjoyed, and gone on in their free commerce with merchants, both natives and aliens, as well in time of peace as in time of war ; and exercised and executed their duties in giving their decrees, and taking cognizance of all and every cause, quarrel, action, both civil and criminal, and capital pleas ; and the rights of jurisdiction they were vested with, to take into their consideration, to decide, discuss, hear, and determine, proceed in the premises, and keep record of their proceedings, according to the laws and customs practised of old, and approved in the said islands, and other places aforesaid."

The preceding extract is merely the preamble to the charter of Elizabeth ; but we have quoted it at length, because it gives a general notion of the rights, immunities, and privileges of Guernsey : but the fifth article of that charter guarantees a privilege so peculiar and so extraordinary that we cannot omit placing it before our readers. It made Guernsey a free and neutral port even in time of war, so much so that an English cruiser could not capture a French vessel, or indeed any other enemy's vessel, if she were in the roads or harbour of Guernsey. The fifth article runs thus : " And whereas some other privileges, immunities, liberties, and franchises were graciously given, granted, and confirmed from time immemorial, (as far as the memory of man can reach unto,) by our progenitors and predecessors, formerly kings of England and dukes of Normandy, and others, to the said islanders ; and which have been used and observed constantly in the said islands, and other maritime places : one whereof is, that in *time of war* the merchants of all nations, whether aliens, born in or out of the islands, both friends and enemies, could and might freely, lawfully, without danger or punishment, frequent the said islands, and maritime places, with their ships, merchandizes, and goods, as well to avoid storms, as there to conclude or finish their lawful business, come to, resort unto, go to and fro, and frequent the same, and there exercise their free commerce, trade and traffic, and afterwards securely, and without danger, remain there, and depart away from thence, and return unto the same, when they think fit, without any harm, molestation, or hostility whatsoever in their goods, merchandizes, or persons ; and this not only within the said islands and maritime places, and all around the same, but likewise at such spaces and distances from the islands as the sight of man goes to, or the eye of man reaches : We, by virtue of our royal authority, do for ourselves, our heirs, and successors, renew, reiterate, confirm, and gra-

ciously grant the same immunities, impunities, liberties, and privileges just now mentioned, to the said bailiff, jurats, merchants, and others, whether they are in war or amity with us; and to all other inhabitants, or aliens, and sojourners aforesaid in the said island, in as ample form and manner as heretofore they have used and enjoyed the same. In order, therefore, to prevent any violation, or infraction of this our grant, concession, and confirmation, or any thing therein contained in any matter whatsoever, we declare and give this warning by these presents to all our officers and subjects, which warning we order to be published in all parts of our kingdom of England, and throughout all our realms and dominions under our obedience, wheresoever they lie or are situated. That if any one of our said officers or subjects shall be so rash as to presume to transgress these our strict orders and commands, we order and decree (as far as in us lies) that he shall be severely punished for his audacious contempt of our royal power, and disobedience to our laws; and shall be compelled to make a full restitution and satisfaction of all costs, interests, and damages, and prosecuted by all due process and forms of law for the same."

This famous charter was also confirmed by Parliament in the following words, which conclude it: "Per ipsam reginam, et de datâ prædictâ, auctoritate parliamenti: By the Queen herself with the sanction of Parliament at the above mentioned date."

In further proof of the scrupulous and deferential respect paid by the Crown of England to the privileges of Guernsey, we may cite the remarks of the Lords of the Privy Council in queen Elizabeth's time, on the occasion of presenting to her Majesty the books of Guernsey law, compiled by the Governor and Royal Court for her approbation. The Lords express themselves in the following terms: "The Lords of the Queen's most honourable Privy Council, after having seen, heard, and considered the contents of this book, signed by Sir Thomas Leighton, captain and governor of the island of Guernsey, and by the bailiff and jurats of the said isle, have ratified and approved, and do ratify and approve the laws and customs therein contained, to be practised and observed in the said isle of Guernsey, saving always to her Majesty, and her heirs and successors, the power to add thereto, and correct the same, according to her pleasure: and also all prerogatives, profits, rights, and pre-eminence belonging to her said Majesty, her heirs and successors, *without prejudice nevertheless to the ancient and just privileges* granted heretofore to the inhabitants of the said isle. Done in her Majesty's Privy Council, the 27th day of October, 1583."

All the privileges above, contained in the charters of Henry the Sixth and Queen Elizabeth, were confirmed in the subsequent charters of James the First, and Charles the Second. It was not till the reign of William and Mary, that the Channel Islands took any share in the wars which England waged against its neighbours; and the records, both of Guernsey and Jersey, furnish many examples of French vessels, taken in *time of war* in their roads and ports by the English, being ordered to be released by the English government. Indeed, the peculiar institutions of the Channel Islands were so long respected and held inviolate, that, in their ecclesiastical jurisdiction, they were subject to the diocese of Coutances in Normandy, up to the reign of Elizabeth. They were then united to the see of Winchester, and still remain so: and, no doubt, the change introduced by Elizabeth, was in every respect purely political, as the Bishop of Coutances, being a Catholic, was subservient to the Pope, and as the head of the Reformed Religion, she could not, with consistency, allow her Norman subjects to be under the controul of a foreign and hostile hierarchy. But, with this exception, no attempt was made to deprive the islanders of their privileges: on the contrary, as we have shown, the whole of their laws, immunities, and customs, were held sacred both by the sovereign and the parliament.

The Channel Islands enjoyed this commercial freedom up to the year 1768, when they were most unjustly despoiled of their birthright by an order of Council, dated 16th of December in that year, which was backed by a peremptory mandate commanding its registration on the 13th of March, 1769. The British Government having, in 1767, agreed with the Duke of Athol to pay him a pecuniary compensation for the surrender of seigniorial rights in the island of Man, proceeded immediately to establish therein custom houses and appoint revenue officers. But they treated Guernsey and Jersey very differently, for they did not *redeem* their rights and immunities, but *suppressed* them by main force, and in complete violation of the charter of Elizabeth. Then it was that the first fiscal regulations were introduced, and one Major was appointed to the command of a schooner of

fourteen guns, a cutter with four guns, four or five boats, and forty men, to discharge the duties of a custom house.

The object of the British Government in enforcing this arbitrary act, was to protect her own revenue, by putting a check to smuggling : but the scheme was not so successful as had been anticipated. High duties will always operate as a bounty and encouragement to illicit trade, and if one opening is stopped, another will be soon discovered. The smuggler, indeed, may adopt the saying of Bacon, when he commenced his immortal system of philosophy : *Aut Inveniam viam, aut faciam* ; I will either find a road, or I will make one. Thus it happened with the attempt of the British Government to secure its revenue by plundering the Channel Islands of their chartered rights, conceded by very many sovereigns, and guaranteed by several Acts of Parliament. The smuggling trade was transferred to Roscoff, a small village on the coast of Brittany, within a few hours sail of the islands. This insignificant hamlet, for it deserved no higher appellation, immediately became an interesting object to the French Government, and it is worthy of observation, that no sooner were the officers of the customs fixed and established in Guernsey and Jersey, than the question about making Roscoff a free port, or *port d'entrepot*, was discussed in the French councils, and as readily agreed to. The edict of the king of France was promulgated on the third day of September 1769, and as it has a local historical interest to the people of Guernsey and Jersey who desire to make themselves acquainted with the past events which have happened in the islands, we shall place before them an extract from that edict.

"The king (of France) having ordered the decree given in his Council the 14th of March, 1768, to be laid before him, by which his Majesty has permitted the depositing, duty free, or by *entrepot*, in the ports of this kingdom, that have the privilege of trading to the French islands and colonies of America, such *rums* as are the produce and return of *dry cod-fish*, fished by the subjects, and carried to the said islands and colonies, on condition of exporting from the said privileged ports the said *rums* to foreign parts, within a year from the day of their landing, on pain of confiscation, and five hundred livres fine : And his Majesty being informed, that notwithstanding the port of Roscoff is not one of the ports privileged to trade to the said colonies, that it may nevertheless have *conveniences* for vending for foreign markets some of the said *rums*, in consideration of which it may be expedient to permit the depositing therein, duty free, or by *entrepot*, such *rums* as may be brought thither from the ports that trade to the said islands : His Majesty, willing to provide thereto, and seeing the memorial of the Farmer General, and the opinion of the intendant and commissary of the province of Brittany, as well as that of the deputy of commerce ; having also the report of the Sieur Maynon D'Invan, chancellor in ordinary, and comptroller general of the council royal of finances ; the king, being in his council, has ordered, and does hereby order : That all *rums* brought from the French islands and colonies of America, in return for *cod-fish*, fished by the subjects in the ports licensed to trade to the said islands, be permitted to be carried from the said ports to that of Roscoff, where they shall continue to enjoy the privilege of the *entrepot*, for one year, reckoning from the day of their first landing by *entrepot* ; within which said year they must be exported to foreign parts on pain of confiscation, and five hundred livres fine, and on condition of observing all the formalities prescribed by letters patent of the month of April, 1717, and other regulations concerning the *entrepot*.

Done in the king's council of state, held at Versailles the third day of September, 1769, his Majesty being there present. (Signed,) Choiseul Duc de Praslin."

The effect of this edict was soon felt. Roscoff, till then an unknown and unfrequented port, the resort only of a few fishermen, rapidly grew into importance ; so that from small hovels, it soon possessed commodious houses, and large stores, occupied by English, Scotch, Irish, and Guernsey merchants. These, on the one hand, gave every incitement to the British smuggler to resort there ; and, on the other hand, the French government gave every encouragement to the merchants. It is to this hour the rendezvous of illicit trade, so that Great Britain, by violating the charter of Elizabeth, has impoverished Guernsey and Jersey, enriched Roscoff at their expense, and failed in protecting her revenue from smuggling.

Having struck this decisive blow at the ancient commercial privileges of the Channel Islands, the British government followed it up by numerous other restrictions, too long to be enumerated in this article, but which will be detailed in a future number, when we propose to draw up a summary of all the laws relating to the customs which affect Guernsey and Jersey.

There is one prohibition, however, which we cannot omit to notice: we allude to the interdict against the exportation of snuff and tobacco in small quantities from these islands to France. This is a very great hardship, and actually converts the Guernsey and Jersey custom-house officers into French douaniers. It is said that without this prohibition, snuff and tobacco would be smuggled into England; but we are certain that this is an unfounded apprehension. The people of the Channel Islands would be content with such a modification of the existing law, as would enable them to sell snuff and tobacco exclusively to French boats and coasters, and it certainly would never be the interest of such purchasers to run to the English coast, when their own country offers them a far more inviting market. We feel confident that, if a proper representation were made to Mr. Poulett Thompson on this subject, this prohibition would be removed, and if success attended the application, it would give a remarkable stimulus to our local trade. As we have every prospect now of having a new pier, the strongest efforts should be made to extend our commerce, and we hope that the public will unite with us in urging the authorities to memorialize the Board of Trade, so as to get rid of a prohibition which is of no use to England, most injurious to the Channel Islands, and solely beneficial to the French Government.

SKETCHES OF GUERNSEY.—No. 2.

SEA WEED.

The *fucus marinus*, or sea weed, which grows abundantly on the rocks round the island, is of the highest value to the farmer. This marine herb is called in Normandy, as well as in the Channel Islands, *varech* or *vraic*, and, in Brittany, *gouesmon* and *sarr*. It is here used both as fuel and manure, and so highly are its agricultural qualities appreciated by the islanders, that "*point de vraic, point de hautgard*,"—"no sea weed, no cornyard," has passed into a proverb.

The sea weed is here distinguished into *vraic scié* and *vraic venant*. The former is attached to the rocks, and is separated by sickles or bill-hooks; the latter is drift weed, torn from the rocks by stormy seas, and thrown up on the beaches, frequently in piles several feet in height. There is a great difference in the value of these two descriptions of weed. One cart load of the *vraic scié* is supposed to be worth two, and sometimes three, of the *vraic venant*. The fertilizing properties of both sorts vary considerably as to the period of the year in which they are cut or collected; the summer crop being in much higher estimation than the winter; but the average value of the whole is about one pound sterling, the newly cut cart load. The following is an estimate of the amount and value of the *vraic* obtained from Lihou, resulting from the depositions of most of the respectable farmers of the upper parishes, as delivered before the royal commissioners in 1815, at the suit of Eleazar Le Marchant, Esq., against several inhabitants of the parishes of St. Peter-in-the-Wood and the Forest.

They gathered:—

<i>Vraic scié</i> ...	{ in summer... about	80 cart loads,	value £2 each....	£160
	{ in winter... "	70 "	" £1 "	£70
<i>Vraic venant</i> ...	{ in summer.. "	80 "	" £1 "	£80
	{ in winter... "	140 "	" 5s. "	£35
Total number of loads.....				370
Total value.....				£345

From two to three loads of *vraic scié*, and from four to five of *vraic venant*, are required to manure effectually one vergée of land, $2\frac{23}{48}$ of which equal an English statute acre. These proportions are applied to preparing the ground destined for barley or wheat. The *vraic venant* answers this purpose only: great part of the *vraic scié* is burnt as fuel, and the ashes are afterwards used as manure, of which twenty bushels are considered requisite for one vergée.

That every class of society may fairly share in the benefit derived from the *vraic*, poor persons, possessing neither horse nor cart, are allowed during eight days of the first spring tide immediately preceding the general summer harvest, exclusively to cut it, provided they bring it on their backs to the beach. The winter harvest commences on the spring tide after Candlemas day, and continues to the

15th of March. The summer harvest begins on the second spring tide after the 24th of June, and lasts two tides. The produce of the first is usually used as manure; that of the latter is converted into ashes, and previously serves as fuel. In the petitions of most of the parishes to the royal commissioners, of one thousand six hundred and seven, this article is particularly alluded to. The inhabitants of the Vale "pray that it be ordered by his Majesty's commissioners, that it be lawful for them, for the time to come, to go and gather *vraic* upon the flat rock and other places hard by, without they be in any ways hindered; and where there has been any proceeding used against them for that regard, it be disannulled, forasmuch as they can have no corn without they have that liberty." The answer was: "Because we find that the *vraic* is so beneficial and necessary for the whole island, as that the inhabitants cannot have any manner of grain or corn, without they first bestow and spread the same upon their grounds; and for that we are informed that the bailiff and jurats have usually set down such orders as were, from time to time, most convenient for the inhabitants touching the same; who, in our opinion, do best understand what is fit to be done in those things which concern the common good of the island: we do thereby require, that all such orders as they shall set down touching the gathering of *vraic*, either upon the said flat rock or elsewhere, shall be clearly kept and observed." The Royal Court, in chief pleas, has always taken this point into consideration. All the ancient ordinances were revised and embodied in a general regulation of the chief pleas of Easter, one thousand eight hundred and eighteen.

When the island of Herm, which is situate mid-way between Guernsey and Serk, was let out on a fee farm rent by the crown, there was a special clause inserted; guaranteeing to the inhabitants of Serk and Guernsey the continuance of their ancient right to cut and gather sea weed on the coasts of Herm. The quantity obtained from this small island is prodigious. Serk, indeed, would be rendered almost barren, were it not supplied from Herm, and it is no unusual sight to behold forty to fifty boats from Serk and Guernsey, averaging from five to ten tons each, collecting *vraic* from that small island.

Though this marine herb is almost exclusively used for fuel or manure, yet there are some varieties of it which may be applied to different purposes. By enclosing a particular sort of it in a bottle filled with old Jamaica rum and camphire, and not using it for six months, the lotion is very serviceable in cases of rheumatism, in cuts, and sprains. The writer of this article can vouch for this fact, from his own personal knowledge. In Alderney, a weed is collected, which has many of the virtues of the celebrated Iceland moss; and the algæ of Serk are said to afford a substitute for horse hair of the finest quality. There is also another variety, called "carrigeen," which may be converted into excellent blancmange, by boiling it in the same manner as isinglass.

GUERNSEY CATTLE.

In London, and most parts of England, the horned cattle of the Channel Islands are called Alderney cows. This is a gross mistake; for Alderney is too small a spot to rear many cattle for exportation. During the bubble year, 1825, a joint stock company was established under the style of the "Alderney Dairy Company," who pretended to supply the London market with the milk of animals, which it would have been impossible to procure. The pure breed of these cows can only be obtained in Guernsey, for even those of Jersey are much inferior. As a guide to the English purchaser, it may be observed, that a thorough-bred Guernsey cow is required to exhibit on its person twenty marks, before the agricultural society of the island pronounce it to be perfect. These marks are the following.

The pedigree of the father and mother being proved to be good, and yielding yellow butter, the distinctive marks of which property being, yellow ears internally, yellow circlet round the eyes, yellow tinge at the root of the tail, and full udder, count for.....	7 points.
General appearance; colour, cream, light red, or both mixed with white, and the hair smooth and short, count for.....	3 "
Handsome head, handsome horns, slightly curved inwards; bright and prominent eye.....	4 "
Deep barrelled shape body: the flanks well rounded.....	3 "
Handsome legs, not knocking against each other, when walking.....	1 "
The hind quarters flat and right angled—back straight and level.....	2 "

The criterion of perfection.....20 points.

The pure Guernsey cows are infinitely larger, taller, and of a somewhat darker colour than those which usually sell in England under that name: these come from Jersey, and may be had much cheaper. Instances have been known of a Guernsey ox being fattened to fifteen hundred weight; but the heaviest in Jersey did not exceed eleven hundred. An average good farmer's cow in Guernsey costs from eight to ten pounds. A handsome one for a gentleman's dairy will fetch £12, and occasionally more. Three vergées and a half of good ground are sufficient to afford food for one cow during the year. It is an invariable practice throughout Guernsey to tether the cattle, staking them by the horns to the earth, by means of an iron or wooden peg, attached to a halter about twelve feet in length. This is shifted four or five times per diem, allowing a fresh range of from two to five feet each time. By this system the most is made of the grass, for none can be trodden down or wasted.

Guernsey butter is as yellow as a guinea, and of most excellent flavour. It is indeed finer than any that can be procured in England. The milk is churned with the cream: the butter-milk is not an unpalatable beverage, and is in great use among the country people, as an article of food: but cheese is never made. The supposed general average that a cow will yield throughout the year is one pound of butter, or eight quarts of milk during the twenty-four hours. It is observed, that the fattest cows are not the best milchers, and the best milchers will not always produce the largest quantity of butter. In summer, many instances have occurred in which cows have yielded fifteen pounds of butter in a week. So convinced are the islanders of the excellence of their cows, that every foreign breed is rigorously excluded, none being imported except for the slaughter-house. A Guernsey farmer would not even allow a Jersey cow to come on his land, though this distinction is unknown in England: they, therefore, who desire a thoroughbred animal, must seek for them in the Guernsey market, and not elsewhere.

If Guernsey can boast of her cows, she has little reason to pride herself on her horses. A laudable attempt was made some few years back to improve the breed of saddle and carriage horses by establishing annual races, and to a certain extent this has proved successful. But nothing has yet been done to improve the breed of cart horses and those employed in general agricultural purposes, which are generally weak and ill made. It is worthy of the consideration of our country jockey club, whether much good would not be effected by purchasing a thorough Suffolk stallion: and it would also be desirable, if the country people were occasionally to trim and currycomb their horses, for we challenge all Europe to produce more unsightly quadrupeds than are mounted by the market women on Saturdays. Indeed, these miserable looking beasts are a perfect eyesore, and their rough and shaggy condition is a disgrace to their owners. However, within a few years, both the horses and their harness have displayed some improvement in the principal teams belonging to the town; but the country market nags have not benefitted by the march of intellect. We hope that some of our country gentlemen will accept this hint, and use their influence among the small farmers to persuade them to keep a pair of scissors and a currycomb in their stables, and occasionally make use of them. If a beginning were only made, and a few examples exhibited of decent grooming, all would soon follow the precedent.

LANDED PROPERTY.

The value of land in this island will be scarcely credible to an English reader. It must be very inferior indeed if the rent is not two pounds per vergée, being at the rate of five pounds per statute acre. In addition to the rent there is a tithe on corn. The best land, of which the Couture is perhaps the fairest specimen, is much higher, being valued at three pounds to three pounds five shillings per vergée. Some estates are let at a money rent, which is fixed; others, at a corn rent, which is fluctuating. These last are counted in the *livres tournois*, fourteen of which equal a pound sterling. How great the variations have been in the value of the corn rents, the following examples will show. In 1631, the earliest period to which we can refer, the rents were estimated by the court at five *livres tournois* the quarter. In the next twenty years, to wit, in 1651, they amounted to seven *livres tournois* ten sols. In 1671, they fell to six *livres tournois* ten sols. In 1691, they were still further reduced to five *livres tournois* ten sols. In 1711, they reached to nine *livres tournois*. In 1731, they were down to six *livres tournois*. In 1751, they were fixed at nine *livres tournois*. In 1771, they rose to ten *livres tournois*. In 1791, they amounted to twelve *livres tournois*. In 1800, they were at twenty-eight *livres tournois*; in 1807, at seventeen; and in 1812, again at

twenty-eight livres tournois. They have gradually fallen since the peace of Waterloo, and were last year fixed by the court, who regulate these corn rents, at eight livres fifteen sols.

Thus, then, it appears that during the period to which we have alluded, the fluctuation has been from five livres tournois, the minimum, to twenty-eight livres tournois, the maximum, or in English money, from seven shillings and a minute fraction to two pounds. Our intelligent readers, no matter to what country they may belong, will duly appreciate the equity of this system; for it places the landlord and the tenant in the same boat; if corn is high, then rent is high; if corn is low, then rent is low; and thus the owner of the soil, and the working farmer, have some identity of interest and risk.

The remarks we have made on the value of land only apply to such as is devoted to agricultural purposes; that which is sold for building, particularly in the vicinity of St. Peter's-Port, fetches enormous prices, running up from five hundred to one thousand pounds per English acre. All the estates are small, as we described in our March number; but St. George, the property of Mr. Guille, the lieutenant-bailiff, and Vauxbelets, the property of Mr. Mansell, one of the jurats of the Royal Court, would not disgrace the rural scenery of English landscape. No estate in Guernsey exceeds seventy English acres. In Jersey, however, they are larger. From the evidence of Mr. Le Breton, the attorney-general of that island, delivered before a committee of the House of Commons in the affair of the Corn Question, it appears that the estate, called Rozel, contains one hundred English acres; Trinity, about one hundred and eighty English acres; and Samarés about two hundred and seventy English acres: but these are rare exceptions; for the same gentleman deposed that, taking a general average of estates throughout the whole island of Jersey, each might be computed to contain not more than fifteen English acres.

THE BILLET D'ÉTAT.

As the last *Billet d'Etat* refers exclusively to the enlargement of the present harbour, and the construction of breakwaters, it cannot fail to interest the natives of Guernsey, if they are presented with a short historical narrative of the origin and progress of the present pier, which we have compiled from various sources, manuscripts, printed records, and verbal communications.

King Edward the First ordered the present pier to be built, and, to defray the expense, he directed that a duty of twelve sous tournois should be levied on all ships, and six sous tournois on all boats, arriving in the island, for the three subsequent years. It was then intended to erect a wall or mole from the town to the castle, so that this is no new scheme: indeed, it is pointed out by nature, and could the people only see their own true interest, and that of their descendants, this is the plan that they would adopt, as an effectual barrier against the south-east winds, and a permanent protection for the roadstead. The order of Edward, however, though directed to the bailiff and the inhabitants, was in part only executed by Otho de Grandison, the governor, who levied the duty, but instead of applying it to the work, put it into his own pocket. This example was followed by his successors, until the year 1570, when the royal commissioners granted permission to the bailiff and jurats to take and receive on all foreign merchandize brought "*en aucun temps suspect de guerre*," at any time when war was apprehended, a reasonable toll or custom for defraying the expense of erecting and supporting a pier, repairing the bulwarks, and providing ammunition. They were at the same time, to prevent abuse, ordered to account annually before the lieutenant-governor, as to their receipts and disbursements. The duty, though raised, was again misapplied, until by an order in council, dated 25th August, 1580, the bailiff and jurats received directions to convert the money levied for the advancement of this work, together with other contributions which they were allowed to raise, "by the consent of the generality," upon the richer sort of inhabitants. The authority so granted has been since confirmed by all the subsequent charters, but it does not appear certain that the Court were ever authorized to increase the dues. The commissioners permitted them to levy a reasonable duty on foreign merchandize, for purposes of two kinds: the first temporary, to wit, the building of the pier; the other perpetual, to wit, the reparation of the bulwarks and the

purchase of ammunition. The order in council confirms the power granted by the commissioners, and further authorizes the Court to lay a second charge upon strangers, and a new charge upon inhabitants; but all for a special and temporary purpose, to wit, the erection of the pier.

From the year 1580, the work continued with little intermission, until the south pier was completed; but an order in council was again issued in 1660, to compel the Court to make a proper application of the duties. The north pier was ordered by the Court, at the Michaelmas chief pleas held 1684, on the application of Mr. James de Beauvoir, but it was not commenced till the latter end of the reign of queen Anne.

These particulars are compiled from a fragment of an intended history of Guernsey, composed by John Jeremie, Esq., whose forensic talents formerly shed lustre on the Guernsey bar; whose abilities raised him to the office of judge of the island of St. Lucia; whose integrity and free and manly spirit displayed on behalf of the oppressed negro, deprived him of the attorney-generalship of the Mauritius; and who now, as some reward for the persecution he has endured, and as a just tribute to his judicial qualifications, occupies a seat on the bench in the island of Ceylon; a Guernseyman by birth, not indebted to aristocratic connections for his high promotion, but conquering rank by his own intrinsic merits.

The royal order of king Edward, referred to by Mr. Jeremie, is dated the 2d March, 1275. It occurred to us that it was very improbable that St. Peter's-Port should have remained without any harbour up to so recent a date—recent, at least, when considered in reference to many other subjects, which prove beyond a doubt the importance of the Channel Islands at periods much anterior. We, therefore, determined to search the Greffe office, and through the kindness of Charles Le Febvre, Esq., his majesty's registrar, we were enabled to inspect and take a copy of the original order.* The original itself is deposited in the archives of the tower of London, and the copy was obtained by the late Peter Le Pelley, Esq., who was authorized at a States Meeting, held on the 26th April, 1813, "to take all necessary measures to obtain authentic copies of all the most useful and essential documents which relate to the laws and customs of this island, which are deposited in the tower of London and the exchequer office, provided that the expenditure of such researches did not exceed one hundred pounds sterling."

After perusing the order, our conjectures were proved to be well founded, for it recites that "Whereas Richard Rose and certain burgesses of Guernsey had represented to the king that certain enemies and rebels of the French king had burnt and destroyed the town, and also broken up a quay which protected St. Peter's-Port against the incursion of the sea; and that whereas the said town and quay cannot be repaired without great cost, we grant, &c."

We have translated from the dog-latin, in which this order is written, the monstrous word "*kaya*," quay, being almost idem sonans: but probably the old structure that had been ruined was rather a mole or breakwater; for an order of the same date, which we have seen among the manuscripts of the late William Le Marchant, authorizes "the bailiff and jurats to impose a duty of twelve livres tournois on all loaded ships coming into the said harbour, and on boats six livres, for the term of three years, to be applied to the erection of a wall on one side of the said harbour, that ships might lie in *safety* and *shelter* from the vehemency of the weather," and which wall goes now by the name of the *old* or *south* pier. Mr. William Le Marchant adds: "If these twelve livres tournois were the same as mentioned in the extent of the island of Serk under the name of *sois* tournois, it must have been a pretty heavy duty, since a quarter of wheat was valued in that extent at only six of them."

The next interesting fact which we have been able to ascertain is, that the round house at the end of the south pier is very ancient, for there exists an ordinance passed in the chief pleas of April, 1624, which enacts, "that the small house at the end of the pier shall be rendered secure at the public expense."

The exact period at which the north pier was commenced is doubtful, but the probability is, that it was begun in 1703.

* No man can search the English record offices unless he bleeds freely. The exactions are enormous and disgraceful. A few documents relating to this island were recently applied for, and for the mere copy of one, the extortionate sum of forty pounds was demanded. Things are managed differently in Guernsey, against whose customs so many ignorant and illiberal birds of passage turn up their noses. The registrar of our Greffe, when we made our object known, most obligingly offered us, whenever we pleased, the free perusal of the public documents, that we might make use of them for our Magazine, an indulgence of which we shall avail ourselves, for the instruction and amusement of our subscribers.

From 1740 to 1755, fifty thousand livres tournois, equal to £3571. 8. 6. sterling, were expended on the north pier, and on repairs of the south pier.

The quays were built from 1775 to 1779.

The arch over Cow Lane, (*la rue des vaches*,) was built 1783, and the quays connected with the south pier.

The funds necessary for the north pier were paid out of the proceeds of the harbour dues, and the dues called *petites coutumes*, or by money borrowed on that revenue.

The slips of the south pier were constructed in 1819, under the direction of Mr. M. P. Goodwin, the present surveyor of the States, and the light house erected on the south pier was first lighted on the 28th February, 1832.

Such is the best historical account which our diligence has, as yet, been able to collect and arrange respecting the existing harbour; but if any persons, better conversant with this subject than we can pretend to be, will supply our omissions, we shall gladly publish their communications in our next number. Before we proceed to offer any remarks on the *Billet d'Etat*, we shall make some further observations which apply to the old structure.

Our venerated bailiff recollects that when the construction of the present quays was going on, his grandfather, then lieutenant-bailiff, was laid up with the gout, and used to say that the quays would ruin the harbour; and it is certainly true that the swell, and consequent rolling of the shipping, has been much increased not only on account of the quays, but of the slips which have trenched on the interior of the harbour, and confined the sea within narrower bounds than heretofore. The mischief has been much augmented by the close work or solid masonry with which the quay slips have been built. If the work had been open, the sea would have spent its force through the interstices or intervals left between the stones, instead of which, it recoils, and keeps the water in constant turmoil. Formerly, and before the building of the quays, the sea not only ran up to the houses, but between them, through the lanes and steps leading to High-Street. The close masonry of the quays and slips is one great cause of the turbulence complained of, in addition to the space they occupy.

As an instance of obstinate prejudice, a prejudice which, too frequently looking only at details, mars the execution of a general principle, it is recorded that when the quays were first constructed, seven persons, whose houses bordered on them, refused to pay their proportion of the expense, and were only brought to exercise their common sense, by being prohibited to have any access to the quays by doors leading from their dwellings. Some years elapsed before they could see their true interests. This reminds us of the anti-road mania: but we hope that, in this enlightened age, no coterie will follow the ignorance of their ancestors, and throw impediments in the way of the great national undertaking now contemplated.

In ancient times, the kings of England, by divers charters and patents, invested the Royal Court with power to enact ordinances; and further specially authorized the bailiff and jurats to levy duties, and harbour dues, to maintain the port and pier in good condition; to *repair* and *perfect* the same; and to enable them the better to accomplish these objects, granted to them the full and exclusive power to raise the money, and apply it as they thought fit. There is not a word said about the *States*: the authority is *limited* to the bailiff and jurats. These privileges were at first granted for only a limited time; but they were afterwards made perpetual, *in perpetuum*. The Royal Court, deeply sensible of the high prerogative thus confided to them, and anxious to prove themselves worthy of the confidence of the sovereign, established officers *out of their own body*, to see that all the ordinances which related to the harbour were diligently executed. The first of these was the supervisor, who was always a jurat, serving annually each in turn, *alternis vicibus*; and the first was elected by seniority at the chief pleas, on which day the revenues of the harbour were publicly let to the highest bidder, in presence of the bailiff and jurats of the Royal Court, in the hall of justice. Those who farmed the harbour dues took possession on the 22d of January, as soon after sunset as an anchor was dropped in the pier, by virtue of an ordinance passed 22d January, 1728.

The next officer of the harbour was the king's sheriff. He kept all the weights and measures, and regulated and superintended the sale of all articles sold in the pier. To him was attached the water bailiff, also nominated by the court, whose chief duty was to give information to the supervisor of any irregularity or disorder that might occur within his jurisdiction. In those days, it is not probable, that there were many stores in which to house a cargo, for by an ordinance dated 21st

April, 1718, it is enacted, "that all merchandize brought into the harbour shall be there retailed: that the venders shall remain within their vessels, or have proper persons on board to retail during three tides, under the penalty of one hundred livres tournois: one-third to go to the king; one-third, to the improvement of the pier; and the other third, to the informer.

And by an ordinance dated 18th January, 1719, "no merchant or trader shall sell his goods without permission of the bailiff, under a penalty of three hundred livres tournois, of which fine one-third shall be paid to the king; one-third to the poor; and one-third to the informer."

Moreover, in those days the publication of sale was always entrusted to the king's serjeant, who received three sous for his trouble, as per ordinance dated 3rd October, 1625.

All these ordinances are headed, in the documents we have examined, "*Mono-poles défendues*," from which it may be fairly inferred, that some few individuals had acquired capital, and had made attempts to purchase cargoes wholesale, to retail them in small parcels, and charge an enormous profit on their returns.

Many police regulations were enforced respecting the harbour in these ancient times, of which we shall mention some few.

Ordinance, 30th April, 1730, prohibits washerwomen from drying linen on the parapets of the pier, under a penalty of three livres tournois.

Ordinance, September 30, 1622, prohibits fighting or swearing on the pier, under pain of imprisonment, and such further punishment as the nature of the offence may merit.

This does not appear to have been sufficiently severe, for an ordinance, dated 30th April, 1730, adds to the above, a fine of ten livres tournois.

The last cited ordinance also prohibits every person from riding on horseback on the south pier, or rolling on it full barrels, or other heavy weights, under a penalty of three livres tournois, and the cost of repairing any damage that might be caused.

These matters we have thrown together for the entertainment of such as are curious about the origin of the harbour. They have required some labour to collect and arrange: but we hope they will not be altogether unacceptable. We shall now offer some remarks on the last States' Meeting, when the Billet d'Etat was submitted to consideration.

The policy of ameliorating the harbour and sheltering the roads, were unanimously admitted by all the representatives of the States, with the solitary exception of the Douzaine of the Catel Parish. Thus, the first step towards the accomplishment of this desirable object has been secured: but many impediments still remain to be removed. It is on the question of the "ways and means," that the great controversy hinges, and we very much fear that, unless the conflicting parties each surrender a part of their financial schemes, and meet one another half way, the hopes of the public will be ultimately disappointed. Some propose an indirect tax for a limited period: others advocate an assessment on real property: and a third party desire an impost on wine. It is of some moment at this juncture to examine these several propositions, for the more the matter is discussed, the greater is the probability of arriving at sound conclusions.

Every tax on commodities is founded on a vicious principle, and the example of England alone abundantly proves that the consequences of indirect taxation are pregnant with the greatest injury to the great masses of the people. It is true, that the tax of one shilling per ton, recommended by the bailiff, on all goods imported into the island, would press so lightly on each individual, that it would not be felt: and it may also be observed, that it is limited to a period of eight years. These considerations certainly take the sting out of the measure, and are worthy of mature deliberation: moreover, though indirect taxation be erroneous in principle, it should be borne in mind, that many errors are committed by pushing a general principle too far: when we insist on the *rule*, we must allow for the *exceptions*.

One of the great difficulties in practically adjusting with fairness any system of indirect taxation, such as the bailiff recommends in this instance, arises out of the different values of the articles which are to be subject to the impost. We have an example, an extreme case certainly, in plate and lime stone. A shilling duty on a ton of the former, would be an almost evanescent fraction; while on the latter, it would at least be twenty-five per cent, and at the present prices, thirty-three per cent. This is the dark side of the question: let us, however, reverse the medal.

A practical statesman who legislates for any particular country, though he

should never travel far away from the safe road of general principles, is bound to consider the peculiar position and resources of the country whose interest he wishes to promote. Now, the institutions of Guernsey being in almost all respects *sui generis*, and peculiar to our small community, we may, and indeed ought, in a case of emergency, to take some latitude in our plans. The paramount object is a new harbour: unless the funds are raised in some shape or other, the work must be abandoned, for if the means are wanted, the end never can be attained. We ourselves object to the *principle* of indirect taxation, but if a case can be made out, proving that a great national good will be placed in jeopardy, and even totally frustrated, unless that principle be given up for a limited and specified period, then we are compelled to accept the less evil of the two, just as in case of treasonable sedition, we should consent to suspend the operation of the Habeas Corpus Act.

In favour, then, of the bailiff's proposition, appear to us the following arguments. First: the proportion that each family would have to pay out of the tax of one shilling per ton, would be so slight, as not to be felt, for it has been shown by an able correspondent of the Star, who signs himself "Solicitus," that the richest families would only pay nine shillings per annum, and the poorest, eighteen pence: so that, in eight years, the former would have contributed three pounds twelve shillings, and the latter twelve shillings. Secondly, it is quite clear that many residents who pay not one farthing towards the general tax list, would by this plan, have to advance their *quota*. Thirdly, and this is a most important consideration, employment and good wages would be immediately obtained for the poor, who, instead of emigrating, as many have recently done, and many others propose doing, would have the happiness of remaining in their native land. The practical question, therefore, is this: shall we abandon the pier, or shall we admit the principle of indirect taxation to the amount required, and for the period proposed? For our own parts, when we take into consideration the immediate relief that this undertaking will give to the unemployed labourers, and the stimulus it will give to local trade, during the prosecution of the work: and when we look forward to the permanent additional value that a good harbour and safe roads will confer on the island, we certainly think, strongly as we are opposed to the principle of indirect taxation, that the present case is a legitimate exception to the rule, and that it may be more "honoured in the breach than the observance."

If the States sanction the duty of one shilling per ton on all commodities imported into the island, it is calculated that the annual sum so raised will amount to fifteen hundred pounds. Approving as we do the judicious remarks of Harry Dobrée, jun. Esq., delivered at the last meeting, and bearing in mind the statement of the attorney-general in reference to the incursions of the sea on the coast, we do not think that this amount will suffice, both for the new harbour and unforeseen casualties. We should, therefore, recommend that one penny per quarter be also raised for the next eight years, on realized property, which would yield a protecting revenue of eight hundred and thirty-three pounds per annum, and we cannot suppose that any person would object to so trifling an assessment, who sincerely desires that the great national object be accomplished on a scale worthy of the country.

To the duty on wine recommended by several of the magistrates and some of the clergy, we decidedly object. Such a scheme will always catch a little fleeting popularity, because superficial thinkers are easily led away by the notion of equalizing the burthen of the spirit tax, said to be chiefly paid by the poor, by placing a similar duty on wine, which is the customary beverage of the rich. In the first place, it is certain that no one, consistently with their assumed regard for the poor, would tax the low priced wines, for these the poor consume; consequently, the duty would only ride over the high priced wines, and the revenue which could be raised from this limited source would be so trifling, as scarcely to cover the cost of collection. Besides, the mere circumstance of such a tax being permitted, would deter many English families from coming to the island, for one of the most attractive inducements to sojourn or settle here, is the comparative cheapness of wine. These gentlemen, therefore, in the hope of benefitting the poor, would really injure them, by driving away many persons who would otherwise spend their incomes in the island, and give employment to labourers. On this subject the Lieutenant-bailiff remarked, that a duty on wine would not yield more than £300 to £400 per annum, and he further forcibly observed, that "There was unfortunately too ready a disposition in many to attribute every measure proposed to a desire to favour the rich exclusively, even though it was evident that the poor were the parties most benefitted. It was for instance said, that the

new roads had been made in order that the rich might drive their carriages on them ; but he would ask whether the poorer classes did not derive a considerable benefit from them in the saving of cattle labour, and the wear and tear of their carts."

In closing these remarks, we earnestly impress on all parties to keep steadily in view the main point—the imperious necessity that exists for the improvement of the harbour. Let all minor considerations succumb to this grand desideratum ; let every man yield up his prejudices and surrender some part of his preconceived opinions ; let all "stoop to conquer," and meet each other in a cordial spirit of co-operation ; and, above all, let not the measure itself be thwarted by higgling about the details. The public cannot have a harbour unless they pay for it, and we deem him the worst enemy to his country who throws impediments in the way by any overweening affection for his own peculiar plan. There is no real difficulty in raising the necessary funds : the same outcry has been long raised, and yet, as the bailiff justly observed, we have fine roads, a college, superb markets, Fountain-Street, the Esplanade, and footpaths in the streets, notwithstanding the senseless clamour vented against all these measures.—We quite agree with the Rev. Thomas Brock, that a permanent debt of fifty thousand pounds would be advantageous to the island, and we hope that his advice respecting the amount of deposits in the Savings Bank will be acted upon. It is quite absurd to limit a deposit to £45 : it is as much as to say to the careful and industrious, "We prohibit you from being careful and industrious beyond a certain point, and we fix the point of perfection at £45." In England, the sum is £200 ; but we think any restriction whatever is erroneous in principle ; for, surely, if habits of prudence and economy are good, why fetter their expansion ? Let, then, the advice of the reverend gentleman be followed, and while on one hand the carefulness and industry of the poor will be augmented, on the other hand a fund will be raised in the island, from which the States may readily borrow money at three per cent. to improve the island and give labour to the poor.

COMMUNICATION WITH ENGLAND.

THE article in our last number, under this head, (page 309,) having excited the attention of a gentleman of this island, he has, at our request, sketched a more expansive view of the subject. It is pleasing to develop the progress of human ingenuity, which of late years has been most successfully exercised in accelerating the mode of travelling, both by land and water. Indeed, so rapid and certain has the communication between these islands and England become of late years, that many will smile when they are told, that scarcely a century has elapsed since a journey from Guernsey to London was a serious undertaking. Now, we may go there and return in three days, of which one day can be spent in London.

The first government packet employed between the Channel Islands and England was a cutter, commanded by Captain Sampson, which, soon after the breaking out of the war with France, in 1778, was removed from the station between Dover and Calais, and plied as often as practicable from Southampton, but when peace took place, in 1783, she returned to Dover. Previously and subsequently to this period, the letters for the islands were addressed to the care of agents at Southampton, who paid the postage, and transmitted them by the traders, small sloops of between forty and fifty tons. And even while the packet ran, the letters were forwarded by her in the same manner by the agents, as there was then no regular post-office in either island. During the two wars with France, commencing in 1778 and 1793, the Southampton traders frequently came under convoy, and the uncertainty and dilatoriness of this mode of communication, both for correspondence and passengers, will be apparent from the fact, that a gentleman now living, a jurat of the Royal Court, was three months on his passage from Southampton to Guernsey. He embarked during the summer of 1793, in a trader commanded by the late Captain Brehaut, and reached Cowes in a few hours, where they were joined the day following by the convoy from Portsmouth. They weighed anchor and sailed several times, but never got beyond Yarmouth, being baffled by contrary winds and calms, and the captain of the convoy being apprehensive of some of the vessels under his charge being captured by French privateers. At length a fair wind came to the great relief of the passengers, and they crossed over in safety !

In February, 1794, two post-office packets, both cutters of about eighty tons, commenced running weekly from Weymouth to these islands; their names were the *Chesterfield*, Captain James Wood, and *Rover*, Captain Joseph Bennett: they sailed alternately on the Saturday evening, and, with a fair wind, reached this island on a Sunday morning. In 1811, another cutter, the *Francis Freeling*, was also placed on the station, and from that time the packets have continued to ply twice a week, leaving Weymouth on the Wednesday and Saturday evenings. The sailing packets were frequently from thirty-six to forty-eight hours reaching Guernsey, and in winter two or three mails arriving together was no uncommon occurrence. Indeed, if the writer do not mistake, he has seen as many as four, or a fortnight's, mails brought by the same packet. He also remembers leaving Weymouth in December, 1810, on board the *Chesterfield*; the weather, for the first twenty-four hours, was fine and moderate, and the packet was within four or five miles of Guernsey, when a violent south-west gale came on, which drove her back to Weymouth, after being out two days and a half, with the loss of boats, bulwarks, &c. A steamer would have reached Jersey some hours before the gale commenced, and so escaped it.

In 1828, a few years after the introduction of steamers on the Holyhead, Liverpool, and other stations, our three sailing packets were replaced by three steamers, of about eighty horse power each, the *Watersprite*, *Ivanhoe*, and *Meteor*, and, although not powerful enough for the channel, their commanders deserve great credit for the perseverance they have evinced in crossing over in very bad weather, generally reaching Guernsey, in from nine to twelve hours, unless prevented by severe and adverse gales. The arrival of two mails by the same packet, is now as uncommon an, as it was formerly a common, occurrence.

Since the packets commenced running, in 1794, from Weymouth, four have been captured or lost, viz: the *Chesterfield*, captured about 1811, by a French privateer, and carried into Cherbourg, with some of her passengers and crew killed and wounded; the *Rover*, wrecked on Alderney, about 1825, crew and passengers saved; the *Francis Freeling*, supposed to have foundered, in September, 1823, in a violent gale, on her passage from Weymouth to Guernsey; and lastly, the *Meteor*, steamer, wrecked in a thick fog on Portland, passengers and crew saved. The fare in the Weymouth packets is, and has been for some years, a guinea in the chief cabin.

During the greater part of the war with France, from 1803 to 1814, and until the establishment of steamers, the communication between Southampton and Guernsey, was maintained chiefly by three cutters, of about eighty tons each, the *Diligent*, *Æolus*, and *Brilliant*, which had no fixed days for sailing, but crossed as often as their cargoes and the winds permitted. These cutters were fortunate enough to run, during and after the war, without loss or capture.* And now two fine cutters, the *Æolus* and *Princess Charlotte*, sail from Southampton and Guernsey every Thursday.

In 1823, two steamers of about 80 horse power, the *Ariadne* and *Beresford*, commenced running from Southampton to Guernsey and Jersey—the former leaving Southampton on the Tuesday, and the latter on the Friday, and their fares being a guinea and a half, in the main cabin. These vessels, like the Weymouth packets, were not large and powerful enough for the station, but as they only ran from the end of March to the end of October, and as steam navigation was then in its infancy, their insufficiency was the less felt and understood. In fine weather, however, they performed their passages, to Guernsey, in from twelve to fifteen hours. The *Beresford* was replaced late last year by the *Lady De Sanmarc*, a beautiful vessel of 100 horse power, which ran weekly during the whole winter, being the first steamer which has done so from Southampton. In moderate weather, she completes her voyage to Guernsey in less than eleven hours, and, when the railway from London to Southampton is finished, we doubt not that a journey from the metropolis to Guernsey will be accomplished in about sixteen hours—even now, it is frequently done in twenty-one. The *Ariadne* is shortly to be also replaced by the *Atalanta*, represented as a very superior vessel. The fares between Southampton and Guernsey may now be stated at a guinea, which we consider a fair and reasonable charge.

* The *Brilliant* was captured in 1813 or 14, on her way to Southampton, by an American privateer, and dispatched for a French port; but the prize-master, mistaking Alderney for the coast of France, gave charge of the helm to a seaman of the *Brilliant*, who, happy to escape imprisonment, wisely kept up the deception, and steered the cutter into the harbour of Alderney, where she was immediately retaken.

In 1831, the Lord of the Isles, a noble steamer of 120 horse power, commenced plying between London and these islands, calling at Brighton; but the trial proving a losing one, she was soon withdrawn from the station, as was the Liverpool, even a larger vessel, which made a similar attempt last summer, and failed.

While on this subject, it may not be deemed irrelevant to add, that sixty years ago, the Guernsey sailor, who had been at Cette and Salou, Santa Cruz, Virginia, and Rotterdam, (the foreign trade of the island being then confined to those places,) thought that he had seen much of the world. Now, our young men visit almost every part of the globe, and there is living here a lad, who is or was, probably, the youngest circumnavigator in existence. He was born in 1828, of Guernsey parents, in the harbour of Rio de Janeiro, on board the ship Wave, which his father commanded, and the infant returned to Rio de Janeiro, round Cape Horn, before he was nine months old, having been at the Cape of Good Hope, Hobart Town, Sydney and Monte-Video.

REMARK.—In our last number, we mentioned that a letter to London was sure to be answered in eight days, and that the London newspapers arrived here in forty-eight hours, and sometimes in less time. Instead of eight, we should have said *five* days, and now an answer can be received from London in *three* days, to a letter forwarded by the Lady De Sanmarez, on the Monday and Thursday mornings. The London evening newspapers are received here in thirty-six hours by Weymouth, and the morning newspapers in twenty-four hours, by Southampton.

RELATIVE TAXATION OF GUERNSEY AND JERSEY.

TO THE EDITOR OF THE GUERNSEY AND JERSEY MAGAZINE.

SIR,—You who have a knowledge of the laws, representative system, mode of taxation, and general internal management of the affairs of Jersey and Guernsey, can hardly imagine how little they are known out of either island: that they should be better known to the inhabitants of each other, that they might be compared, discussed, and better plans adopted, (for surely there is room,) has long been my desire, and it is with that intention that I avail myself of your excellent periodical, forming as it does a link between the Channel Islands, to attempt to show forth a few of the evils in each island, and how they might be remedied by borrowing a little and amending from each other. I will begin with the mode of taxation in Jersey. From their bad system of rating the people, springs, in my opinion, the major part of their grievances. What has kept St. Owen for seventeen years without its chief municipal officer, and also keeps St. Pierre without its representative, although elected by a majority of above an hundred votes? what, but the partial and very uncertain way in taxing individuals, giving cause of over, or under, taxation, and recrimination of party spirit in those at the head of affairs, in making electors to suit their purposes, and causing endless lawsuits. Let not Jersey men be offended, if I hold up our own mode, as an example to them in this affair, but let them rather institute a spirit of inquiry, and what they find good, adopt.

In Guernsey there are in each parish, twelve Douzainiers, (in the Vale sixteen, and in the town twenty,) with the Constables, who, besides voting in the States, overlooking their roads, &c., have the management of rates, something, I believe, like the "*assemblée des principaux*" in Jersey: when they hear or find that a parishioner is doing well, and getting on in the world, they examine his estate, taking into consideration what rents are due, and what may be owed to him, and if a sufficient amount of clear property be found, they tax him at once, at the minimum established in each parish—in the poorest, it is fixed at five quarters, in others, at six and seven, and in the richest, ten—they never trouble themselves at rating a man at half, or the sixth part, of his property, a subject on which there is at present great difference of opinion in Jersey. When they have to tax a new inhabitant of their parish, if he comes from another, they find means to know at what amount he was rated, and act accordingly. If a stranger,* they send a deputation of their body to explain matters, and ask at how much he will be taxed; if afterwards it be presumed that, by his money transactions, buying rents, or style of living, he be worth a great deal more, he is sometimes what we call *tâté*, that is, put to a higher rate without asking him; if he refuses to pay, he is produced, often amicably, before the Court and put to his oath where the matter rests. This

* We are never hard on residents, in town, I believe, particularly.

course is also taken with parishioners of longer standing, who are thought underrated, though this is seldom wanted, they of themselves making it a point of honour and *honesty* to declare the amount of the increase of their property. I must here observe that the rich, as well as the poor, are rated to the amount of ALL they possess, except property taxed elsewhere,—Jerseymen, I am sorry to see, will as yet have none of it, although once carried in their States; but, I am sure, could they but know how well the system works here, and the *general* satisfaction it gives, (let them not take into account the half dozen individuals, with great funded property, who attempted to relieve themselves of an even share of the public burdens, to make it fall heavier on poorer people, whose whole property is in the island—they have justly been defeated); did Jerseymen, I say, know these things, their rich men could hardly have the heart to gull thousands of poor people to petition for the maintenance of the privilege of paying five or six shillings in the pound, per annum, (about sixpence in the pound is paid in Guernsey,) for the mighty advantage forsooth, of electorship; that is to gormandize and get drunk at elections. I have been thus explicit in this account of our taxation, presuming that the generality of our neighbours are not better informed of our customs than we are of theirs; for example, nine-tenths, I will not say of the population, but of the rate-payers here, do not know, that in Jersey a rich man who wants but a stroke of the pen to touch what monies he pleases, pays no more towards the public wants, than his poor neighbour, if their landed estates are equal, although that is the only fortune of the latter, who must toil on it late and early.

I would also mention the States of deliberation, if your space permits me; there the medal is reversed; in Jersey, the system is not perfect, yet the responsible representatives of the people can, at least, propose such projects as they think good, and discuss those which are brought before them. As to the ten representative members of the States in Guernsey, a Billet d'Etat, perhaps of the highest importance, is sent on a Wednesday or Thursday, to convene a meeting for the same day the week after, to the Constables, who remit it too late for the Douzainiers to enlighten their or others' judgment by means of the press, should they be so inclined: they then decide by a majority on sundry articles, which must be answered with a *simple aye* or *no*. With this decision they charge one of the Constables, who, humbly seated at the feet of the high-bred members, neither explains, moves amendments, nor is able to postpone the questions. Out of the remaining twenty-two irresponsible members, fourteen, being the Bailiff, Jurats, and Procureur du Roi, who confer together on the Billets d'Etat, before they are published, necessarily imbibe to a great degree the same sentiments on most subjects. The other eight, are the members of the Clergy, who also seldom differ much in opinion. Our neighbours by this may see, that our boasted Parliament, in miniature of lords spiritual and temporal, and commons, is every thing but representative of the people.

Another evil, common to both islands, is the present very unjust proportion,* in which each parish is guarantee to the public or States' debt: I notice it more particularly, as the feeling runs at this moment so strong on this subject in Jersey; whether the town share does not really possess one-third of the property of the island, is what I do not know, yet it surprises me, that St. Peter-Port, with little more than half the shipping of St. Hellier, should be so vastly richer in proportion, possessing, as it does, 150,000 quarters, three-fourths of the general property of Guernsey. No doubt those *rates*, when established, were proportionate to the property in each parish, but they are now no more so; there were hamlets, which returned two members to Parliament, whilst first rate towns had not one, before the passing of the Reform Act in England. The fairest way of levying public rates would, in my opinion, be according to the means of individuals generally, as was hinted in the Constitutionnel a few weeks since; what need is there to fix proportions, where they continually vary? surely our communities are not so large but we might support each other, as God has granted us means, without cavilling as to

* For the Guernsey proportions, I refer to your last February number. The old proportions in Jersey, (1747,) were, St. Hellier, one-fifth; St. Pierre, one-fifth; St. Ouen and St. Sauveur, together, one-fifteenth; St. Lawrence and St. Brelade, one-third; Grouville, St. Martin and Trinité, one-twentieth; St. Marie, one-tenth; and St. Jean and St. Clement, one-twentieth. The new proportions, established in March last, are contested by the town; they are as follows: St. Hellier, one-third; St. Pierre, St. Ouen and St. Sauveur, two-ninths; St. Lawrence, St. Brelade, Grouville, St. Martin and Trinité, twenty-three-seventy-twoes; St. Marie, St. Jean and St. Clement, one-eighth. As a proof that this plan is not perfect, the three last named parishes are subject *each* to one-eighth of the tax, although their present rates are so very different, viz.: St. Marie, 534 quarters; St. Jean, 1564, and St. Clement, 893!

who shall save, at the expense of his countrymen. Let it not be said that it is useless to bring forth this subject, that we shall never have to raise money in that way, with the duties on spirits and other revenues; I for one, earnestly hope that such a plan will in time be adopted; perhaps, had it been always so, we should not be burdened, in Guernsey, with so heavy a debt. I own it is much easier for the rulers to vote monies produced by duties, than if they had to consult the people through proper representatives, but it is also much more dangerous; and certainly, the community does not gain by it, as the money must come from its pocket directly or indirectly.

In conclusion, Sir, I think, and am sure you will agree with me, for these are the principles your Magazine advocates, that few men will obstinately confine themselves in their private affairs, to the practice of their forefathers, without looking around to examine and profit by the experience of others, so in their public interests ought they to pay attention to what is doing elsewhere, and attempt to meliorate their social conditions accordingly. I am, Sir,

A GUERNSEYMAN.

SARNIAN MELODIES.

No. 1.—ON THE SPRING SHOW OF THE HORTICULTURAL SOCIETY.

Come, ye gentle strangers, all
On this sea-surrounded shore,
Come, where in yon splendid hall *
Flora opens her magic store:
Decked in all the charms of Spring,
Here her beauties greet the eye,
While the lofty arches ring
With melodious harmony.

All that northern climes can show
Thrice a year those slabs adorn,
Or that in the genial glow
Of a southern sun are born.
Rival climes with mild restraint
In these isles are blending fast,
Where the south, expiring, faint,
Lords yet o'er the northern blast.

Balmy sweets oppress the air,
As if the soft enamoured gale
Would lingering leave the odours there,
That ten thousand plants exhale.
Hues of purple, crimson, gold,
Dipped in Nature's matchless dye,
On the view at once unfold,
Enchant the sense, entrance the eye.

Here with native flowers blow
Those of many a distant land,
Such as Chili's valleys grow,
Or Japan's forbidden strand.
Luscious fruits in rich display
Other seasons gladly own,
But the vernal bloom of May
Flora claims for her alone.

* The exhibition was held in our splendid fish market.

No. 2.—ON THE TEMPEST OF THE 28th MARCH,

During which two French vessels were wrecked on Glatney beach, and the crew of one totally perished.

Now hangs upon the gloomy main,
And closes on the circled lands,
Conceals the bright celestial plain,
And wide her dusky veil expands
On every side, on every bay,
That seem to darken more and more,
Both where the tossing billows play,
Swelling with hoarse and sullen roar,
And on each proud, embattled steep,
That frowns defiance on the deep.

As yet there reigns a silence dead,
A stillness lies on all around;
But 'tis a calm, so dismal, dread,
As fills the soul with awe profound:
Huge heaps of clouds o'erspread the sky,
And wildly on each other throng,
Nor, save the mariner's shrill cry,
Stirs aught the dreary scene along:
To pity seems that Nature strove
The louring elements to move.

Now whirlwinds sweep the murky seas,
And down the narrow valleys peal;
As feathers dancing in the breeze
In Castle Bay * the navies reel.
'Tis true no thunder rends the air,
No awful lightnings flash around,
But waves their crests of fire uprear,
And tempests shake the solid ground,
Till from each dark abyss and cave,
The boiling surges foam and rave.

Then, 'mid the frightful din, arose
A wild and agonizing cry!
'Tis o'er!—those shrieks,—those rending throes,
Upon the passing gust soon die.
Again!—'tis Ocean's triumph proud,
And the loud tempest's deadly yell,
Till glares the morn upon that shroud,
The horrors of the night to tell:
Then, on the beach, their travail o'er,
Two vessels lie, and corpses line the shore.

* Here taken for the inner roads.

P.

USEFUL PROJECTS.

HAVING been requested by many of our country friends to devote a page or so to objects of domestic economy, we shall, for the future, comply with their wishes, and give an account of some of the most useful receipts that may be serviceable in a family.

Method of marking Linen, so as not to wash out again; recommended by the late Dr. Smellie.

Take vermilion, as much as will lay on a half-crown piece—of the salt of steel a piece about the size of a small nutmeg,—grind them well together with linseed oil; you may make it thick or thin, at your discretion. This is equal, if not superior, to any of the numerous compositions so long puffed on the public at exorbitant prices.

To take out Grease from Clothes.

Take off the grease with the nail, or, if that cannot be done, have a hot iron with some thick brown paper; lay the paper on the part where the grease is; then put the iron on the spot; if the grease comes through the paper, put on another piece, till it does not soil the paper. If not all out, wrap a little bit of cloth or flannel round the finger, dip it into spirit of wine, and rub the grease spot; this will take it entirely out. Be careful not to have the iron too hot; try it first on a piece of white paper; if it turn the paper brown, or scorch it in the least, it is too hot. If paint should get on the coats, always have spirit of wine or turpentine ready; either of these with a piece of flannel or cloth will easily take it off, if not left to get quite dry.

To cure Inflammation of the Eyes.

Mix together in a powder five grains of bark and five grains of soda. Take three of these powders daily. If the inflammation is only beginning, this will usually effect a perfect cure in forty-eight hours: but the most inveterate will speedily yield to this treatment. Two precautions must be observed. First: on no account to increase the above proportions, or the remedy will fail. Secondly: it is of no use in cases of Iritis. We received this prescription from Mr. Frederick Tyrrell, one of the first oculists now in London, and received almost immediate relief. We have frequently recommended it to others with similar success.

To cure Diseases of Orchard Trees.

A tree often becomes stunted from an accumulation of moss, which affects the functions of the bark, and renders the tree unfruitful. This evil is to be remedied by scraping the stem and branches of old trees with a scraper; and, on young trees a

hand brush will effect the purpose. Abercrombie and Niel recommend the finishing of this operation by washing with soap-suds.—Wherever the bark is decayed or cracked, it ought to be removed.

The other diseases to which orchard trees are subject, are chiefly the *canker*, *gum*, *mildew*, and *blight*, which are rather to be prevented by such culture as will induce a healthy state, than to be remedied by topical applications. Too much lime may bring on the canker, and if so, the replacing a part of such soil with alluvial, or vegetable earth, would be of service. The gum disease may be *constitutional*, arising from offensive matter in the soil, or it may be *local*, arising from external injury. In the former case, improve the soil; in the latter, employ the knife. The mildew may be easily subdued at its first appearance, by scattering flour of sulphur upon the infected parts.

For the blight and caterpillars, Forsyth recommends the burning of rotten wood, weeds, potatoes haulm, with straw, &c., on the windward side of the trees when they are in blossom. He also recommends washing the stems and branches of all orchard trees with a mixture of fresh cow-dung with wine and soap-suds, as a white-washer would wash the walls or ceiling of a room. The promised advantages are, the destruction of insects, and fine bark, more especially when it is found necessary to take off all the outer bark.

To preserve Polished Irons from Rust.

Polished iron work may be preserved from rust by a mixture not very expensive, consisting of copal varnish intimately mixed with as much olive oil as will give it a degree of greasiness, adding thereto nearly as much spirit of turpentine as of varnish. Cast iron work is best preserved by rubbing it with black lead. But where rust has begun to make its appearance on grates or fire irons, apply a mixture of tripoli powder with half its quantity of sulphur, intimately mingled on a marble slab, and laid on with a piece of soft leather; or emery powder with oil may be applied with excellent effect; not laid on in the usual slovenly way, but with a spongy piece of the fig-tree fully saturated with the mixture. This will not only clean but polish, and render the use of whiting unnecessary.

TO CORRESPONDENTS.

WE very much regret that the "Monody on the Death of the gallant Colonel TUPPER" only reached us after our last sheet was struck off. It shall appear in our next.

THE
GUERNSEY AND JERSEY
MAGAZINE.

EDITED BY JONATHAN DUNCAN.

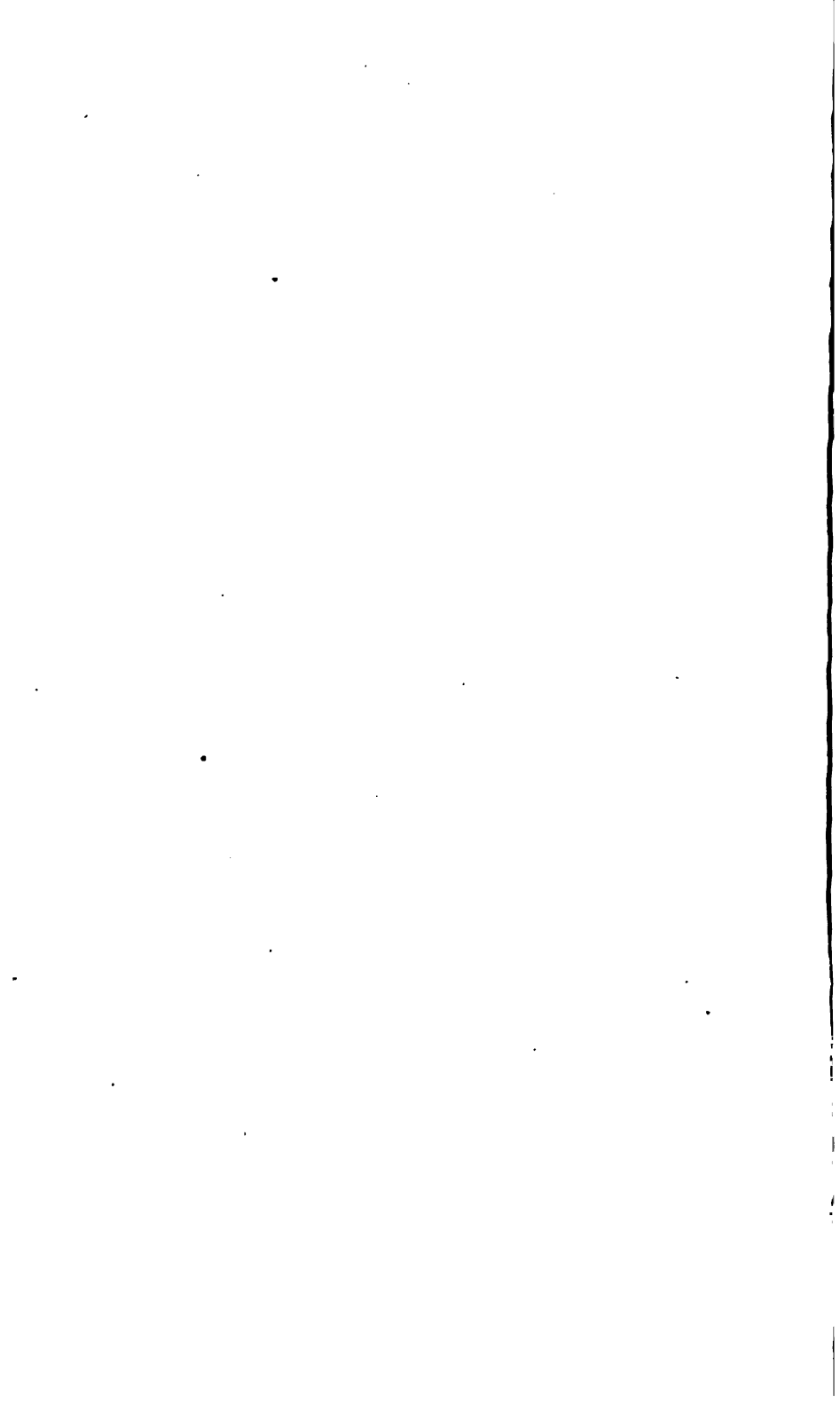
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INDEX.

	<i>Page.</i>
Abbé Godard, The.....	269
Anglo-Norman Institutions, No. 2.....	23
Nos. 3 and 4.....	95, 223
Arabian Gratitude.....	215
Balbé Breton, Chevalier de Grillon.....	12
Christina, Queen of Sweden.....	148
Construction of Parliament, On the.....	257
Fountain of Virtue, The.....	350
Funds for Public Instruction, On the.....	325
Greek and Roman Money, On the.....	217
Guernsey—Address of the States of, to H. E. Major-Gen. Ross.....	255
Beaches.—No. 1. Gorban.....	379
Communication with England.....	380
Harris's Account of.....	125
Imports and Exports of Wines.....	51
Inspection of Gaol.....	47
Laws and Customs of—No. 1. Real Property.....	119
No. 2. Guarantee.....	188
No. 3. Debtor and Creditor.....	252
No. 4. Criminal Law.....	381
Military Government of.....	42
Newspapers.....	52
Protected against Pressgangs.....	376
Rise and Progress of Religious Establishments.....	177
Royal Court.....	63
Taxation of St. Peter-Port.....	185
Guernsey Merchantman (The) and the French Freemason.....	250
Historical Notices of the Channel Islands.—No. 1.....	107
Nos. 2, 3, and 4.....	169, 239, 369
Variorum Addenda to.....	375
Ireland and Guernsey.....	65
Jersey.—Mount Orgueil Castle.....	235
La Hougue-Bie.....	364
Lacedemonians, The.....	278
Life and Death of Young Napoleon.....	286

	Page.
Memoir of Captain John Allez	59
———Colonel William Tupper	53
———Lord De Saumarez	298
Military and Naval Monopolies, On	129
Norman Rolls, The	29
Perpetuity of the Institutions of America, On the	1
Poetry—Death of Colonel Tupper, On the	57
Influence of Religion, The	74
Late Polish Insurrection, The	202
Nativity, The	138
Ode to Spring	7
Owen of Wales, or the Invasion of Guernsey in 1372	296
Sarnian Melodies.—No. 3. The Seashore	64
No. 4. Noon	128
No. 5. The Caskets	256
No. 6. The Tropic Moon	384
Shipwreck at the Caskets	41
Stanzas	324
To an Infant	335
Translations from Schiller's "Maid of Orleans"	144, 268
"Mary Stuart"	357
Körner's "Zriny"	28
Prince of Condé, The	204
Princess Tarrakanoff, The	335
Reaumur	139
Recent Events at the Mauritius	154
Reflections on the Life and Death of Lord Clive	347
Roman de Rou, The—No. 1	162
Nos. 2 and 3	229, 359
Sir Francis Walsingham	339
Sketch of the Life and Reign of Louis the Fifteenth	78
Slave Trade at Rio de Janeiro, On the	9
Spanish Inquisition, The	292
Spanish Intolerance	362
Spirit of Radicalism, On the	198
Subjection of the Channel Islands to Normandy	36
Taciturnity, an Apologue	285
Tapestry of Bayeux, The (continued)	31, 101
Wace, the Jersey Poet	89

THE
GUERNSEY & JERSEY MAGAZINE.

JULY, 1836.

ON THE PERPETUITY OF THE INSTITUTIONS
OF AMERICA.

THE federal republic of the United States of America has sprung into political existence, and assumed a definite character, within the life of man, an unexampled phenomenon in the history of nations. What the poets of Greece fabled of Pallas, issuing armed and perfect from the brain of Jupiter, has been practically realized by this glorious people, who have made so rapid a march in arts, commerce, and civilization, as to be unparalleled in the annals of the world. The aristocratical sections of Europe have amused themselves, year after year, in prognosticating the downfall or dismemberment of this mighty and intellectual confederation: but the prophecy has been falsified by facts: not only have the United States augmented their military and commercial marine,—enlarged their cities,—cleared the land of timber,—extended their territory,—intersected it by rail roads,—and drawn together the most remote provinces, conquering time and distance by the establishment of steam vessels on their rivers and lakes,—but they have even steered clear of the ignominy of a pension list, and totally redeemed their national debt. If it be true, that one ounce of fact is worth a ton of fiction, here we might stop to show the hollow and senseless stupidity of the maligners of America: but we desire to proceed further, to enter more minutely into details, and bring forward solid arguments to show that the institutions of America possess within themselves all the healthy seeds of perpetuity.

The first circumstance that strikes an intelligent and unprejudiced man, in considering the structure of this government, and the state of society that exists under it, is its perfectly natural formation. It is not possible to conceive of a community which has attained to the advantages of high civilization, that is less artificial. In respect to the permanency of the present republican institutions of this country, every fact, every symptom, all reasoning, are in their favour. In the first

place, they have in substance, continued for nearly, and in some instances for quite, two centuries, for it is a vulgar error to date the origin of the American institutions from the war of independence. All the elements of republicanism existed before that period, and were merely consolidated into a system after the military career of Washington. The habits of the people, their education, their feelings, and their interests, unite to preserve intact the present form of government; and the most superficial knowledge of history proves how tenaciously all nations adhere to established customs and laws, and how difficult it is even to reform palpable and recognized abuses. The different governments of Europe, based on the feudal system, were founded on despotism, irresponsibility, and exclusiveness, but as knowledge has spread itself, the tendency of change has been to a state of freedom. Natural influences have gradually come into play, and every section of society has slowly acquired some share in the control or direction of political power. This has taken place in England and France in an eminent degree: it is progressing in Spain and Portugal, and in the common course of events, the representative system will force itself on Prussia, Austria, and even Russia. Such must ever be the inevitable consequence, where the mind of man is unshackled, and the liberty of the press is admitted; for it is not in the power of art to repress the energy of natural influences, when they have once gathered head. The effect of vast commerce, of intelligence diffused to a certain degree, and of individual enterprize, has, in England and France, been to wrest power from the crown, to curtail it in the lords, and to repose most of its exercise in the commons. So far, then, there appear to us two irresistible arguments in favour of the perpetuity of the American democracies. The first is, that all nations are averse to any change in their laws and customs, and since the Americans are as yet attached to theirs, we have no right to assume, that this attachment will be hastily or causelessly converted into hatred. The second is, that where knowledge exists, the tendency to change is from despotism to democracy, and never from democracy to despotism.

The vulgar argument against the perpetuity of the American government, is the impossibility that the rich should not govern the poor; and the intellectual, the weak in mind. We will first examine the argument where it leans on the consolidation of wealth in the hands of a fractional minority, as it does in England among our territorial aristocrats.

The continuation of property in families, and its consequent accumulation by individuals, effected by entails and primogeniture, is a provision of oligarchy to secure its own power. The very provision argues a consciousness of natural weakness. It is evident, that it is as unjust, as it is opposed to our common affections, to make one child affluent at the expense of half a dozen others. The cruelty is the more detestable,

where a son takes all, to the detriment of the daughters. No man left to the operation of natural feeling would commit so inhuman an act. This fact is sufficiently proved by the example of the Americans themselves, who have a perfect right to do this injustice if they please, by simply making those in existence, and who have a natural hold on their hearts, the subjects of the wrong. Still no American does it. Moreover, the Americans have taken care that this artificial state of things shall not occur, for strict entails cannot be made: and if one father should be found so obdurate and unnatural as to commit a wrong, in order to rob parties of their natural rights to his estate, he has no pledge that his son will be as absurd as himself. There is no truth more certain, than that property will regulate itself when left to itself. It will change hands often, and become the reward of industry, talent, and enterprize. There are thousands of rich men, and very rich men too, in America, and there is not a class of the community that has less political power. There are many reasons why it should be so.

In the first place, wealth in America is not a very idol, as it is in England. A British commoner, who aspires to the peerage, knows that he cannot gain the object of his ambition, unless he has plenty of gold. This degrading qualification has no effect on the Americans, for happily for them they have no peerage. Neither have they any absurd orders of knighthood, or quarterings, or titles, but pride themselves on the absence of these childish baubles. Thus, in the United States, wealth gives no direct influence in politics. Seats in congress are not bought and sold. During the rotten borough era, it was well understood that any person who could command five votes in the House of Commons, and would place them at the disposal of the ministry, was certain of being made a peer. All this is impossible in America; and moreover, it is plain, that wealth, even supposing it could be brought to act in concert throughout a country like this, can never work a change in its institutions, until it can be accumulated for generations: and that is a result the institutions themselves forbid. As the whole of this argument against the permanency of the American system of government, is built upon conjectures, we too may indulge in a similar license; and we think, considering the tone of American opinion, and their devoted love of equality, that rather than the rich should strip the people of their liberties, the people would strip the rich of their property. Neither case, however, is likely to occur.

We are now to consider whether a concentration of talent would not destroy the rights of the people, and a conspiracy be formed among men of letters. This appears to us a most silly argument, though it is put forward with a show of gravity. Talent is just as likely to regulate itself, and produce equality, as money. To suppose that all the intelligence of the country should take but one side of a question, is too

extravagant to require refutation. Besides, it is the boast of every American, that he has no worldly superior, and unless those feelings can be destroyed, not one of them would submit to a division of society, which, by an artificial arrangement, would place him beneath so many others. He would be literally selling his birthright for a mess of pottage. It is true, that if a hundred, or a thousand, Americans could monopolize the honours and emoluments of a change of government, that number might conspire to keep their present elevation, and force the rest of the nation below them. But a thousand, or ten thousand men of the highest talent, could never persuade a million to give up rights that they consider are inherent, even if these ten thousand could agree among themselves as to the gradation of their own rewards. And this last consideration is one of the most important of all, for the conspirators would assuredly quarrel about the division of the spoil.

The great majority of Englishmen who speculate on the manners, customs, and institutions of America, approach the subject under the influence of European prejudice. We are habituated to titular distinction of ranks: but to the American it is inconceivable how one man can yield precedency, or respect, or submission to another, merely because he happens to be born an eldest son. Another great difference in the government of the United States, and that of most others, is, that they began at the bottom to raise their superstructure, whereas the Europeans have, in almost every instance, began at the top, and worked downwards. Europe is full of artificial institutions, purchased by the sacrifice of natural rights: but the institutions of America are essentially inartificial, and are based on the strict conservation of natural rights. If the United States have gone further than it may be prudent for other nations to follow, that is no reason that they are not safe themselves. In sound principles of government, England has proceeded to greater lengths than France; France has advanced further than Sweden, and Sweden than Russia. As we have already remarked, the clear tendency of change is from tyrannical to free constitutions, and of this we have daily proof in all the old countries. This is the natural current of the tide, unless forcibly diverted into other channels by artificial dams and breakwaters. It is odd enough, that in an age when even the autocrat of Russia is fettered and thwarted by public opinion, men should affect to believe that a people who feel its influence more than any other, who have fortified their institutions by law, by habit, and by common sense, are liable to be affected by causes that are hourly losing their ascendancy in every other country: that America, in fact, should pant for despotism, while all Europe is sighing for democracy.

But the question of infinitely the most interest is that which touches the durability of the confederation, for many contend that, though the States may separately preserve all their institutions, yet that the Union,

which now links them together, will be dissolved. This reasoning is founded on the extent of the country and the certain increase of population, and it is a part of our subject that merits full investigation.

If we fix the habitable territory of the United States, east of the rocky mountains, at one million of square miles, we shall not exceed the truth. By giving a population of one hundred and fifty souls to each square mile, we get a gross amount of one hundred and fifty millions of inhabitants of the republic. It has been calculated that in 1850, the population will be twenty-four millions; in 1880, forty-eight millions; and in 1920, nearly, or quite, one hundred millions. There are no sufficient reasons to doubt this increase so far as the period named. Indeed, if there be any error in the computation, the probability is, that it is on the other side.

It appears highly improbable, not to say impossible, to many, that so vast a population, spread over so large a territory, can remain united under one head. We ourselves entertain the opposite opinion, for which we will presently assign our reasons; but it may be remarked at the outset, that we have an example in China, said to contain one hundred and fifty millions, to show at least the possibility of this mighty multitude of people living peaceably under the same government. If then the Chinese, who are semi-barbarians, have been united under one form of dominion for many centuries, and still so continue, why should not the same unanimity be found among the shrewd, firm, and constant Americans? It is quite certain that such vast masses of intelligent men could not be controlled by force; but it remains to be proved that they cannot be kept together by interest. Let us examine how far the latter agent will be active.

The first evil that an intelligent nation will always guard against, is war. So long as America remains united, she has nothing to fear from foreign aggression; but dissolve the confederation, and create a number of independent states, you immediately create conflicting interests, and these could only be adjusted by the sword. Nature has adapted these vast regions to profit by internal trade. This species of commerce can never be conducted on terms so favourable as those offered by the Union. Should they separate, constant bickerings would arise as to the right of navigating the rivers, lakes, and bays, and these jealousies would inevitably lead to war. So far, then, it is the interest of all the States to maintain the confederacy.

Another argument in favour of the severance of the States is founded on the extent of territory and the great distance between the extreme points of the Union. This, however, loses all its weight, when we consider the rapidity of intercourse that now takes place by steam boats and railroads. These may be regarded, wonderful as they are, even yet in their infancy, and yet there are many calculations made to prove

that, with our present knowledge of locomotive power, a speed of sixty miles per hour is attainable. Distance may now be said to be conquered, and vast as is the territory of the United States, their extremities are drawn nearer to each other by the invention of railroads, than London and Edinburgh were at the time of the Union.

Next comes the question of local interest. This, after all, is the only point worthy of much consideration. It is a branch of the subject that presents two or three different aspects. That of employment, that of geographical inducements to divide, and that of minute separate interests. The diversity of soil and climate must establish a permanent division of labour, and compel the people to pursue different lines of business. This fact is an important one, for it is a strong guarantee of harmony and union. The northern man will be the mariner; the man of the middle states will grow the primary necessities of life; and the southern man will supply both with luxuries. The manufacturer will buy wheat, and tobacco, and wine, and fifty other commodities of the Virginian, Marylander, &c., and cotton, and sugar, and olives, and fruits, of the southern man. They are necessary to each other, and it is therefore plain their interests are united. Each finds in his neighbour a producer of articles which he himself cannot furnish, and also a consumer of what he has superabundant. The principle of exchange is thus marked out by nature; and it is idle to suppose that an intelligent people, such as the Americans undoubtedly are, will wilfully throw away these advantages.

As to the geographical inducements to separate, it is impossible (if distance be admitted to be conquered by locomotive engines) to discover more than one. There might, under certain circumstances, be a reason why countries that lie on the tributaries of the Mississippi, for instance, should wish to be under one government. But they *are* under one government already, and by what process can they be more so than they are at present. The Kentuckian, and Tennessean, and Ohiese, and Indianian, might lose some advantages, in the way of geographical inducements, by separating from New York to cling to Louisiana, or *vice versa*; but what could be possibly gained? There might have been a danger of such a separation, when the outlet of the Mississippi was the property of another nation; but the outlet of the Mississippi is now the property of the republicans themselves. The citizen of New Orleans has just as much influence in the general government as the citizen of New York or Boston. Independently of these facts, each year is so ramifying, and connecting interests throughout the whole of the Union, as to render it difficult to the States, which might be thought to be most exposed to what we have called geographical inducements, to make a selection, even under circumstances that should compel a choice.

The control of minute interests might easily lead to dissensions, in a

free country. But the natural and exceedingly happy constitution of American society leaves the States the control of all matters that do not require concentrated action: it leaves even the counties and towns, also, the right of controlling their minute interests.

There appear, then, no reasonable grounds to apprehend that this confederation will be dissolved. Such a measure would militate against all the true interests of the country. United, they may bid defiance to the world: dismembered, they are exposed to foreign aggression and domestic wars. The navy of the United States can always vindicate the honour of the national flag; but if split into fractions, it would be easily beaten in detail. Internal commerce would be greatly injured by separation, and the southern and northern could not interchange their commodities with the same facility, as is now secured to them by the Union. In short, all moral and physical causes are operating to give perpetuity to the institutions of America, and consolidate the existing confederation. The parasites of European aristocracy, fearful that the old countries will shake off the remnants of feudal vassalage, and dreading the effect produced already on the sense of the people, by contrasting the simplicity of republicanism with the costly expense of monarchy, vilify America, because they hate her: they affect to believe that the Union will be dissolved, because they wish to believe so; but all reasoning, all experience, every fact, and every probability, is against this most ridiculous conjecture.

A new era is about to dawn on this mighty nation. It has ceased to creep: it begins to walk erect among the powers of the earth. All these things have occurred within the life of man. Europeans may be reluctant to admit the claims of a competitor, that they knew so lately a pillaged, a wronged, and a feeble people; but nature will have her laws obeyed, and the fulfilment of things must come. The spirit of greatness is in this nation; its means are within its grasp; and it is as vain as it is weak to attempt to deny results that every year is rendering more plain, more important, and more irresistible.

ODE TO SPRING.

WHILE they ring round the same unvaried chimes,
With sure returns of still expected rhymes;
Where'er you find 'the cooling western breeze,'
In the next line 'it whispers through the trees':
If crystal streams 'with pleasing murmurs creep,'
The reader's threatened—not in vain, with 'sleep.'

FORN.

Solvitur acris hiems grata vice veris et Favoni.

HAIL, nymph of loveliness,
Season of joyousness,
Greet thee, fair Spring, in thy virgin attire!
Say, to what sunny land,
Far from our chilly strand,
Didst thou from Winter's fierce tempests retire?

Ode to Spring.

Was thy loved Thessaly,
 Odour-fraught Araby,
 Or magic Italy, then thy sweet home!
 From the gold orient,
 Where Phœbus' light is sent,
 Lambent and flashing, on minaret and dome.

Thence, on resplendent wings,
 Spring, are thy journeyings,
 Chasing dull Winter's train from thy career,—
 Tripping so cheerily
 O'er the wide earth and sea,
 Smiling till Nature's sweet beauties appear.

Forest, lea, hill, and vale,
 All thy glad coming hail;
 Earth, when she sees thee, spurns Winter's rude sway,
 And, where thy footstep treads,
 Over her bosom spreads
 Perfume-steeped carpets in dazzling array.

Love is inspired by thee,
 And the eye's watchery
 Gathers fresh charms when illumined by thy smiles:
 Gentle persuasiveness,
 Mingled with tenderness,
 'Midst thy bright paradise sweetly beguiles:

Ravishing melodies,
 Soul-blending sympathies,
 Wind from soft bosoms confessions of love;
 Bliss is then limitless,
 Thoughts lose all earthliness,
 And the linked souls feel a shrill from above:

Nature's sweet harmonies
 Swell on thy dulcet breeze,
 Forming a symphony meet for the skies:
 Rivulets murmuring,
 Foliage whispering,
 Birds blithely warbling as skyward they rise:

Ocean's blue, rippling breast,
 Wearing a splendid vest,
 Wrought with the God of the silver bow's rays,
 Whilst the bark fearlessly
 Glides o'er the sunny sea,
 'Neath the bright heaven which thy mildness displays.

Such, nymph of innocence,
 Such is thy influence,
 When thou appear'st o'er earth, ocean, and sky:
 Nurse of sweet poesy,
 Though rude my numbers be,
 None have e'er loved thee more fondly than I!

Oh, that thy tarrying
 Were not so transient, Spring!
 Oh, that the world one bland Arcady were!
 Summer is glorious,
 Autumn all-bounteous,
 Spring is alone soothing, gentle, and fair!

Hark! a soft seraph voice
 Bids my sad heart rejoice,
 With the bright hope of a permanent Spring,
 'Mongst the bless'd choirs above,
 Who, with celestial love,
 Lauding Jehovah, to golden harps sing!

J. D. PIERCEY.

REMARKS ON THE SLAVE TRADE AT RIO DE JANEIRO.—1827.

THE writer was much shocked, when he landed in this city, in November, 1826, at seeing his fellow-creatures employed as beasts of burthen, and particularly at hearing their agonizing shrieks while suffering under the lash of punishment.

The annual importation of slaves into this port alone is now estimated at nearly thirty thousand. The mortality on the passage in some ships, particularly in those from Mozambique, is very great, but I believe that the average deaths on board do not much exceed five in the hundred. One vessel, however, arrived very recently, which lost upwards of one hundred and fifty out of about seven hundred and fifty embarked, and another upwards of fifty out of two hundred and fifty embarked. If this be not wholesale murder, I know not what is crime. On landing, many of the slaves appear nearly exhausted from grief, famine, or disease; some are mere spectres, literally nothing but skin and bone, while others, from their high shoulders and contracted limbs, bear evident marks of having been confined in a hold too low to admit of their standing upright. The price of a new black varies from twenty to fifty pounds sterling, and it is owing to this moderate cost and the facility of purchase that many are compelled to perform the labour of cattle, because three or four slaves are maintained at the same expense as one horse or mule. In consequence, the waste of life is dreadful, as I learnt in Antigua was also the case in our West India Islands before the abolition of the slave trade. There self interest soon effected what humanity could not, and slavery is seen in its mildest form; and such would be the result here if the importation of slaves were prohibited. The general age of the poor wretches on arrival is from ten to twenty—many, however, reach thirty—and occasionally a few, whom the cupidity of the slave trader had previously overlooked, are seen on the verge of old age. I once, and once only, visited the slave market, or rather a long row of houses in the suburbs of the city devoted to that purpose. There I saw a poor woman, whose age was at least five and forty, and a fine boy at her side, who was apparently her child or near relative, and I can never forget her sorrowful and downcast countenance when another person called the boy to examine him. She, doubtless, thought that they were about to be separated for ever. Good God! I ejaculated to myself, what has this poor woman done that she should be thus torn from her home and kindred, and compelled to labour in her declining years, a stranger in a land of strangers? Surely, I added, a day of retributive justice will come, when the long persecuted negro will obtain vengeance of the white man, and punish his Christian master as he so richly deserves. Indeed, European dominion in South America and the West Indies, having been from the commencement pregnant with bloodshed and crime, is the foulest blot on the moral history of the world. Their most valuable productions always were, and still are, extracted by a system of cruelty and injustice degrading to human nature: the unoffending and passive Indians, who welcomed the original discoverers with hospitality and kindness, were in many places first exterminated by torture, or by the sword, or by labour, to which their physical powers were quite unequal, or died heart-broken at the loss of

their liberty; and then the more hardy negro was without pity or remorse condemned to supply their place. The insatiable avarice of man relented not at the extermination of the aboriginal inhabitants, but eagerly crossed the Atlantic in quest of other victims.

The celebrated advocate of the Indians, Las Casas, was accused by Herrera of having suggested the slave trade, and this accusation has been repeated by Raynal, Charlevoix, Bryan Edwards, and even Robertson, all on the faith of Herrera. Las Casas, however, did not originate this traffic, but appears to have been induced, several years after it was commenced, to acquiesce in it from mistaken motives of benevolence. It is painful to think that a man, whose long life was spent in extending relief to the much persecuted Indians, should have laid himself open to the charge of gross inconsistency, by a want of humanity to another race of his fellow-creatures, equally entitled to his attention and pity. Such is generally the lamentable consequence of sanctioning or substituting a real evil, that a doubtful good may ensue. By a royal ordinance in 1501, negro slaves were permitted to be taken to America provided they had been among Christians, and Las Casas went first to the new world in 1502. This singular proviso was enacted with a view of introducing Christianity among the Indians—a curious mode of gaining converts—but unfortunately the sacred name of religion has in all ages been too often perverted to the worst purposes. In 1510, 11, 12, and 13, negro slaves were further introduced into Hispaniola from Seville and Guinea, with Ferdinand's sanction, and in 1516, Charles the Fifth granted licenses to the Flemings to import negroes into the Spanish colonies. It was not until the year 1517 that Las Casas is said to have acquiesced in the slave trade, but I would fain hope, for the credit of humanity, that this otherwise excellent man merely and tacitly permitted what it was not in his power to prevent.

Lord Castlereagh might be forgiven the many political errors he committed while at Paris, in 1814, had he resolutely pleaded the cause of the afflicted negro, and induced the allied sovereigns not only to declare the slave trade thenceforward piracy, but to authorize and recommend all countries to capture and punish those engaged in it under any flag. The Northern Powers would, doubtless, willingly have concurred in such a declaration; France could not then have refused her assent, although perhaps an angry one; and Spain and Portugal must have submitted to the general voice of Europe. His lordship would have been solaced with the gratitude of enslaved Africa and the approbation of all good men, and this after solace might have prevented the catastrophe which terminated his existence.

It is urged by many that the negro is incapable, from his physical formation, of civilization or self government. This hypothesis is maintained by some who would shrink with horror to hear the authenticity of the Scriptures questioned, and yet, if the intellectual organs of the white and black be different, mankind is surely not descended from one common ancestor. The colour of men may be affected by heat or cold, but their mental powers are not influenced by climate, unless possibly in the polar regions. But admitting the mal-formation of the negro, which I for one do not, does it in any way authorize us to enslave him, and thus deprive him of all chance of moral culture and improvement? Does it authorize us to visit a large portion of the globe with rapine, slaughter, and desolation, merely to gratify our avarice? Does it

authorize white men to cement the superstructure of their wealth and prosperity on this continent with the tears and blood of millions of human beings? Our consciences, unless they be seared with a hot iron, can best answer these questions. Unfortunately the upholders of slavery have discovered passages in the Old Testament which would seem to sanction it, for instance, Leviticus xxv. 45, 46, and such arguments can only be refuted by opposing natural to revealed religion. On this point it behoves us to be guarded and to speak reverently, but surely silence is criminal when men attempt to engraft slavery on Christianity, or to carry the cross in one hand and the sword in the other. Is it not offending a beneficent Creator to suppose that he ever approved of injustice and cruelty, or that any mode of worship can be acceptable to Him which is extended by human violence? To those who scoff at the miseries caused by slavery and the slave trade,—and one blushes to think that there are men whose minds are so perverted,—let offended justice and suffering humanity reply in the pathetic language of Cowper:

Feeble locks and black complexion
Cannot forfeit nature's claim;
Skins may differ, but affection
Dwells in white and black the same.

ADDENDA.

1828. March 25.—Arrived in Rio de Janeiro, Brazilian ships *Astrea*, from Cabinda, having embarked 931 slaves, of whom 189 died on the passage, and Fourth of April, from Mozambique, 663 slaves, of whom 59 died.

December 25.—Arrived, Brazilian brig *General Sampaio*, from Angola, 508 slaves, of whom 113 died. The Creole was wrecked this month on the banks of St. Thomas, near Cape Frio, with about 600 slaves from Minas, nearly the whole of whom perished!

1829. January 1.—Arrived, ship *Industria*, in forty-five days from Inhambou, with 733 slaves, of whom only three died on the passage—so small a proportion of deaths never before remembered. The owner was offered 100,000 milreas profit on the cargo, and it is supposed that he will clear 120,000 milreas, or nearly fifteen thousand pounds sterling. The trifling mortality in this vessel forms quite an era in the annals of Brazilian slave trading. The value of 730 slaves is nearly £30,000 sterling.

January 21.—A few days since, a new black, a very fine man, jumped over board from a lighter, in which, with many others, he was about to be landed, dived, and was never seen more. It is supposed that he clung to some heavy substance at the bottom until life was extinct, and thus not only escaped his anticipated sufferings, but disappointed the cupidity of his owners.

			Embarked.	Died.
Jan. 30.—	<i>Ulysses</i> ,	Cabinda,	31 days, 600 slaves,	none.
Feb. 2.—	Fourth of April,	Mozambique,	75 „ 901 „	213
„	— <i>Aurora</i> ,	Quilimane,	67 „ 473 „	73
Feb. 8.—	<i>Souzel</i> ,	Mozambique,	54 „ 905 „	164
Mar. 12.—	<i>Minerva</i> ,	Quilimane,	62 „ 480 „	184
May 17.—	<i>Astrea</i> ,	Mozambique,	72 „ 867 „	188*
June 24.—	<i>Camboata</i> ,	Mozambique,	80 „ 376 „	128

* Thirty-eight being killed in a mutiny near Mozambique.

In 1827, 29,787 slaves, and in 1828, 43,555 slaves were imported into Rio de Janeiro. The first six months of 1829, there were imported 23,315, exclusive of 2,203 who died on the passage: total embarked, 25,518, making the mortality upwards of 6 per cent.

Extract from Lord Collingwood's Letters and Memoir.

"At length, descending to the quarter deck, he (Lord C.) visited the men, enjoining them not to fire a shot in waste, looking himself along the guns to see they were properly pointed, and commending the sailors, particularly a black man, who was afterwards killed, but who, while he stood beside him, fired ten times directly into the port-hole of the *Santa Anna*" (at Trafalgar).

I have copied the preceding extract because the advocates of slavery are so fond of depreciating both the moral and physical courage of the blacks. Moreover, when in Buenos Ayres, in 1819, I learnt from good authority that the victories of Chacabuco and Maipu, gained by San Martin over the Spaniards in Chile, and which sealed the independence of that province, were chiefly owing to the courage and firmness of some black troops in the patriot army. If I remember rightly, these blacks were slaves at Buenos Ayres when the revolution broke out there, and, as an inducement to enlist, they were made free on becoming soldiers.

October 20.—I have lately been informed that the full number of slaves actually embarked is not manifested in some parts of the coast of Africa to save the export duty, and, in consequence, the mortality on the passage is greater than appears in the official entries here. Probably it is nearly ten per cent.

1830. February 9.—Arrived, a Brazilian ship from Mozambique, in fifty-two days; 1,166 slaves embarked; died on passage, 123.

April 8, 9.—Arrived in Rio de Janeiro sixteen vessels, having embarked 6,467 slaves, of whom 404 died on the passage.

NEGRO GRATITUDE.—On my return home from Rio de Janeiro, I sent out instructions that a black servant should be made free. On receiving his freedom, he resolved on coming to Guernsey to thank me personally for it, and actually performed a long voyage of upwards of 5,000 miles for that purpose, arriving in Guernsey on the 14th June, 1833. I sent him back again, as he wished to return; he cried bitterly on taking leave, and said that he would never see me more; and I am not ashamed to confess, that I was affected even to tears by his artless and grateful conduct.

F. B. T.

BALBE BERTON, CHEVALIER DE GRILLON.

BALBE BERTON, de Grillon, descended from a very ancient family, was born at Murs, in Provence, in the year 1541. The sports of his childhood distinguished a warlike genius; his great pleasure was in the clashing of arms, sound of trumpets, and neighing of horses. He followed, with the utmost ardour, parties of racing, wrestling, and other exercises which tended to give him vigour, dexterity and courage. At

the age of sixteen he obtained leave from his father to serve a campaign under the Duke de Guise, and for that purpose repaired to Paris, where his birth, vivacity, graceful person, and ardour for glory, procured him the best reception, and highest distinctions. In quality of volunteer he attended the Duke de Guise at the siege of Calais, and was the first who mounted the breach made in the important fort of Risban. The officer who commanded in Risban no sooner discovered Grillon upon the breach, than, astonished at so daring an attempt, and to punish him for such an excess of rashness, he attempted to throw him in the moat, but the chevalier de Grillon, being aware of his intention, attacked, disarmed, and threw him down first; and, without considering whether he was supported, he forced his way into the fort, put all he met to the sword with so intrepid a courage, that, alone and unassisted, he sustained the united efforts of the besieged, till he was joined by those who followed him.

To the prowess of this hero historians attribute the conquest of Calais; from this moment he was considered as one of the greatest warriors of the age, and pitched upon by the duke for the execution of the most arduous enterprises. At Guines he reaped fresh laurels, and had the honor of first mounting the ramparts of that place. Soon after he was introduced to Henry the Second by the Duke de Guise, with these words: "This gentleman has no other fortune except his birth and his sword; but I have a strong presage, that he will one day become formidable to the enemies of your majesty."

Henry received him graciously, gave him a benefice, and appointed him captain of five hundred men, in a regiment of six thousand, commanded by the Baron Desaudret. This post he soon quitted, from dislike to the character of his colonel, and an eager desire to mix in busier scenes. By his means the Duke de Guise suppressed that dangerous conspiracy of Amboise, formed by the Prince of Condé, which threatened the lives of the Guises, the liberty of the king, and the extinction of the catholic religion. We next find him performing wonders at the siege at Rouen, where he served as a volunteer, and then attaching himself with inflexible loyalty to the interest of his king, Francis the Second, against the Prince of Condé, for whom he had the highest personal esteem and friendship. At the battle of Dreux, fought between that prince, as general of the Hugunots, and the constable who commanded the king's army, Grillon was greatly instrumental in the defeat and captivity of the former.

Observing that the right wing of the Hugunot infantry was not supported, he instantly assembled a body of volunteers, attacked them with so much fury in flank that he put them in disorder and changed the fortune of the day; a glory which he purchased at the price of his blood, having received two wounds. A second time he was wounded in the bloody action of St. Denis, immediately after which battle the Duke of Anjou sent Grillon, the Count de Brisac, and the Viscount Pompadour to take possession of Mucidan; it was taken, and Grillon, though wounded, had all the glory of that action; his two associates being both killed in the beginning of the engagement. On this occasion it was that Charles the Ninth raised him to the post of colonel of horse.

Grillon next distinguished himself at the siege of Poitiers, where he appeared at the head of every sally made by the garrison.

History speaks in raptures of his conduct, though it informs us

of no particulars. At the battle of Meneatour, Grillon, after giving a thousand glorious proofs of his courage, gave a very signal one of his generosity. A Hugonot soldier, believing that in him he should destroy one of the great supports of the Catholics, resolved to kill him, to revenge the death of so many Calvinists to whom the arm of this great warrior had been fatal; the soldier concealed himself in a place from whence he could put his design in execution, knowing that Grillon, when he returned from the pursuit of the fugitives, must pass that way. The soldier fired, but only wounded him in the arm. Grillon, incensed at this treachery, ran and seized the assassin; but at the instant his sword was lifted up, the soldier fell at his feet and asked his life: "Thank my religion," replied Grillon; "and blush that it is not thine; go, I grant thee thy life: and, could there be any reliance on the word of one who can be a rebel to his king, and equally faithless to religion, I would demand the promise never again to draw a sword but in the service of thy lawful sovereign." The soldier, confounded, and penetrated at this instance of mercy, solemnly vowed to be no longer of the number of rebels, and to return to the Catholics.

At the siege of St. Jean d'Angely, he stormed the breach, and carried the town sword in hand at the head of his own troops, unsupported by the rest of the army. In this service he received a wound, which gave Charles the Ninth great uneasiness, as it was thought dangerous. During his confinement, he was honoured with a visit from the king; who, giving him his hand, said, "Your valour, zeal for my service, and the success which has followed your exploits, are above praise;" then embracing him, he added, at taking leave, "Adieu, brave Grillon;" a name he always with the justest title preserved.

After the recovery of his wounds it was that Grillon visited Italy and Malta, and combated with great zeal the timid specious arguments of those powers who refused to accede to the Christian league against the infidels. Our author acquaints us, that he was the great instrument of the confederacy formed about this time, in consequence of which the famous battle of Lepanto was fought. What share our hero had in this memorable victory we are informed in these words:

"Don John of Austria, when he reviewed his forces, had discovered some armed vessels; but they appeared to be in so defenceless a condition, that he thought it would be impossible to make use of them; and being informed that no officer chose to accept the command of them, he gave orders that they should be kept at a distance; apprehending they would rather be an incumbrance, than of any service to the fleet. Grillon, a simple knight of the galleys of Malta, accustomed to give orders for victory, seized with eagerness an opportunity to show his bravery; assured of his own heart, and relying on his good fortune, he hesitated not a moment to ask Don John's permission to command those vessels, and promised he would either meet death or victory. This proposal, from any other besides Grillon, would have been rejected as rash.

"But his great courage, and resources in extremity, joined to the air and confidence of a hero assured of success, so charmed Don John and all the generals, that he obtained what he so ardently wished for.

"The Turks who saw these boats so ill provided with soldiers, approached with the utmost disdain, believing that nothing was so easy as to seize them. They paid dear for this attempt, and were convinced that

victory was not so certain as they had flattered themselves. Never hero fought with more resolution and calmness than Grillon.

"The most daring were seized with terror; wherever he engaged, Turks fell in heaps around him; his followers, animated by his example, imitate him, attack and conquer. The barbarians, seeing the number of men in this victorious bark did not lessen, and that their fury and ardour for victory were still the same, cried out: That heaven certainly supplied this hero with Christians, or they must arise out of the waves, to fight under him. All their eyes were fixed on him; a cloud of arrows covered him; he received one, which pierced his arm; he drew it out, and, exasperated at the wound, made redoubled efforts, filling the vessels he attacked with slaughtered Turks. This bravery had few examples. The generals of the Ottoman fleet could scarcely believe their enemy was mortal; and those of the Christian navy beheld, with the utmost admiration and astonishment, this prodigy of valour. The glory of this action impelled those who were witnesses of it to the generous resolution of devoting their lives to their religion and country—the combat became general—the bravery of the Christians made the barbarians feel that valour could supply the place of numbers. A thousand times Grillon dared death by plunging himself into the midst of danger, or in assisting and rescuing those who wanted his aid.

"The corsairs of Algiers and Tripoli, seeing victory declare in favour of the league, resolved to seize the Maltese galleys, that they might assume to themselves the glory of the important prize: success at first favoured their attempt; they surrounded the galleys, and were just upon the point of taking them, which Grillon perceiving, he immediately came up, and compelled the enemy to defend themselves; they fought the more resolutely, as they were eager to obtain such a prize; but all their efforts served only to render the glory of their conqueror still more conspicuous.

"He was chosen as the most worthy to carry the news to the pontiff, which office he accepted, notwithstanding a wound he received in the arm, and was admitted to his holiness with very uncommon marks of distinction."

His fame rose so high, that it excited the jealousy and emulation of all the young contemporary warriors; among these was Bussi d'Amboise, a man greatly esteemed at the court of France for his valour, but so insolent and presumptuous, as rendered all intimacy with him dangerous. Bussi, piqued at the superior reputation of Grillon, determined to fight with him. Grillon was now less jealous of his honour; they accidentally met in the Rue St. Honoré, and Bussi asked with a haughty air, "What is it o'clock?" "The hour of your death," replied Grillon, patting his hand upon his sword. A fierce combat began; courage and dexterity were employed with equal advantage on both sides; but they were parted by some lords of the court.

History, inconsistently enough, gives the advantage to Grillon, though no circumstance in the relation of the combat seems to shew the superiority on either side; but to be a hero, he must be made a conqueror on every occasion. This encounter produced an animosity which must have terminated in blood, had not the greatness of Grillon's mind gained a more glorious victory, than ever his arm could. Both the warriors had accompanied the Duke of Angou to Poland, on his election to that crown. Passing through Germany, Bussi quarrelled

with some Saxon officers, several of whom he put to death or wounded in his cups; upon which he was tried and condemned to die by the laws of the country. Grillon being informed of Bussi's danger, at that instant forgot that they were enemies, and in Bussi beheld a man whose bravery did honour to the French, and one who owed him satisfaction for the contemptuous look he gave him in the king's chamber. He reflected on the disgrace it would be to the French nobility for such a man as Bussi to perish with so much ignominy; that it was an insult to the king of Poland to proceed to such extremity with one who had the honour to be ranked among his attendants. Urged by these reasons, Grillon solicited, persuaded, searched for friends, who seconded him, and at length obtained Bussi's liberty.

Bussi, confounded at Grillon's generosity, was not recovered from the astonishment which had seized him, when he saw a gentleman enter his chamber, who told him, that Grillon desired to fight him; and that he had no other intention in the service he had done him, for which he owed him no acknowledgments. Bussi, who could not fear that his refusal would be imputed to want of courage, answered the gentleman, that he should be blamed by all men of honour, and fix an eternal stain upon his character, if he was to draw his sword against a man who had just saved his life; and immediately mounting his horse went to Grillon. After leaving his sword in his saddle, he approached with an air of frankness and esteem, saying, "To you I owe my life, which, as a proof of my gratitude, I here protest shall be sacrificed for your service." When he had said these words, he advanced to embrace him: but Grillon, incapable of disguise, rejected his offer, and declared he had no other motive in preserving his life, than to deliver him from a death unworthy of a man of honour, whose error had only been occasioned by wine, and in order to deprive him of that life in a combat, which he required of him to put to hazard, as a proof of his gratitude.

Bussi, amazed, confused, and distressed at Grillon's resolution, stood a moment silent, pensive, and motionless; at last recovering himself, he asked Grillon with warmth if he had only saved his life, that he might expose him to the world as a monster of ingratitude, unworthy his generosity; that he, Bussi, should purchase too dearly the service he had done him, were he to be compelled to draw his sword against his benefactor; that he should not think his honour stained, was he even tamely to bear an insult from him without revenging it.

These words, uttered with the air and tone of a man penetrated with the deepest anguish and gratitude, disarmed Grillon, who made no other answer than giving him his hand, which Bussi, with tears in his eyes, tenderly pressed; thus these two great men embraced, vowing an eternal friendship for each other, of which Grillon gave Bussi many proofs. Before this glorious action, he released by his valour another attendant of the duke out of prison. The exploits he performed at the siege of Rochelle were proofs of undaunted courage, but they savour so much of rashness, that we cannot rank them among the actions of a hero, especially as many of them were unnecessary, and done out of pure ostentation. What redounds more to his reputation than all these romantic acts of chivalry is the following anecdote:

"After the dreadful massacre at Paris, the prince of Condé, who was made prisoner on that occasion, contrived his escape by means of three discontented courtiers, Fervaques, Lavardin, and Roquelaure. No

sooner had he taken flight, than Fervaques gave the king information that Roquelaure and Lavardin had agreed to follow him, and take possession of some towns. Fervaques was expected to have delayed giving this intelligence, till he was assured they were out of reach. The suspicion was intimated by his enemies to Henry, who, in his wrath, declared that his head should answer for his treachery; adding, that whoever gave notice to the traitor should share his fate. Grillon saw the king's fury, without surprise; but, knowing him capable of destroying an innocent man, he trembled with horror when he heard him vow the death of Fervaques, a man of quality, and an officer of acknowledged bravery: prejudiced in his favour, he could not believe him capable of so mean an artifice, but, even supposing him guilty, he did not think his crime deserved an ignominious death: to secure his person, and make him prisoner, was all the punishment he thought his crime merited. But that moderation which can calmly proportion the punishment to the crime, was unknown to Henry the Third, of a disposition which inclined him always to extremes, his frenzy seldom knew any bounds.

Grillon, agitated by a thousand different reflections, was equally alarmed at the violent resolution of the king, and the imminent danger to which Fervaques was exposed: distinguished for a magnanimity which made him incapable of fear, he resolved to save him; and despising the danger of a discovery, the excessive delicacy of his friendship persuaded him that he ought to run all hazards to preserve the life of a man of honour, and hinder the king from doing an injustice which would render him still more odious to his subjects. He went to him, and said, "My dear Fervaques, the king, who is persuaded that you have favoured the escape of Roquelaure and Lavardin, under pretence of giving them up to his vengeance, has vowed your death. I do not ask whether his suspicions are just; to justify myself for the step I am going to take, I am willing to believe you innocent: fly this instant, and save your life from the king's rage."

"How sensible am I," replied Fervaques, "of this heroic proof of your friendship; I am resolved to fly, not from a sense of guilt, but to escape the fury of a king, who so little merits the fidelity of his subjects, or the generous and inviolable attachment of the brave Grillon."

Fervaques instantly fled and joined the king of Navarre.

Henry was extremely incensed when he heard of Fervaques's escape; for he was some moments uncertain on which of those who had heard him vow Fervaques's death, to fix his suspicions; but at length they fell upon Grillon.

His esteem for him, while it made him wish him innocent, added strength to these suspicions.

Henry was agitated with these different emotions, when Grillon appeared before him: "Fervaques (said he to him, with a look of rage) has escaped my vengeance, and leaves me no other hopes of executing it, but upon him who has been the instrument of his escape. Do you know who the man is?" "Yes, sire," replied Grillon. "Well then," said the king with warmth, "name him."

"I will never be the accuser of any besides myself," answered Grillon; "but the fear of exposing the innocent to your majesty's resentment obliges me to give up the guilty: yes, sire, see before you the man you ought to punish; one who would have considered himself as the

assassin of Fervagues, had he concealed the secret from him—a secret on which his life depended: mine is at your disposal; but it is less dear to me than the honour of saving a subject (possibly innocent of the crime laid to his charge) whose blood may be one day usefully shed in your majesty's service."

Henry the Third, resolving upon the death of the Duke de Guise, pitched upon Grillon to accomplish this hazardous enterprize. He called the chevalier to his cabinet and justified his design, by recalling to view the duke's whole conduct, his strict connections with the Duke of Savoy, the terrible day of the barricades, the sad alternative this ambitious man had reduced him to, of condescending to a shameful and precipitate flight, of abandoning his crown and liberty to the power of a rebellious subject, whose criminal views extended even to the throne. "Can there be a crime more worthy of death?" continued the king: "are not you of opinion that the Duke de Guise deserves it?" "I am, sire," replied Grillon. "It is well," returned Henry: "it is your hand I have chosen to give it him." "I fly, sire," answered Grillon; "and your majesty may be assured, that my sword shall pierce his bosom, though the same moment that gives him death were likewise to be my last." As soon as he had spoken these words, which he pronounced with the liveliness and fire that accompanied all he said and did, he flew to the door; but the king cried out, "Stop, and hear what I have to say; it is not my intention that you should fight with the Duke de Guise; I will not risk the life of a man so sincerely attached, and of so much use to me as you are. The title of chief of the league alone renders the duke guilty of high treason." "Well sire," replied Grillon, "let him be pronounced worthy of death and executed." "But, Grillon," said Henry, "are you not sensible what a risk I shall run, and what fresh troubles I may involve my kingdom in, if I command him to be seized! It is impossible for me to punish, in a legal manner, this enemy, who is become more powerful in the state than myself; he must fall by some unforeseen stroke, and it is from you I expect this important service, which I promise you to recompense by the staff of constable of France, which I shall see in your hands, without fearing you will ever make an ill use of the unlimited power it confers."

At these words Grillon was struck dumb with grief and astonishment; but at length, recovering his speech, he said: "The proof which your majesty has given me that my conduct, though uniformly irreproachable, has not been able to gain me your esteem, determines me to retire to my own family, whose name and reputation I will never tarnish by an unworthy action."

"I know you, Grillon," replied the king, "and no one has a higher share in my esteem; but do you consider," continued he, after a moment's pause, "that my life and my dignity depend upon the death of the Duke de Guise? It is that only that can secure my crown and safety; and, in order to prevent innumerable evils, I can think of no other method to get rid of him: can you then refuse me that only assistance I can have recourse to?"

"Ah, sire," replied Grillon, "say no more,—suffer me to fly far from this court, and blush in silence at the remembrance of having heard my king (for whom I am so ready to lay down my life a thousand times) desire me to sacrifice that love for true glory, which cost me so much blood, to acquire an esteem that I have not been able to obtain. Ah,

sire ! I cannot support the thought : I shudder to see your majesty led away by the counsels of minions unworthy of your ear."

"It is enough," said Henry, interrupting Grillon, who thought he read, in the eyes of the offended monarch, a concern for the confidence he had placed in him, as also the fatal resolution of securing his secrecy, perhaps by his death. "Sire," proceeded the chevalier, "the proof (and I may venture to call it a generous one) which I gave you of my way of thinking, when, to save Fervaques from your resentment, I exposed myself to it, ought to have convinced your majesty, that Grillon would never consent to commit an action beneath himself. You may be led to imagine, that the same generosity will prompt me to forget that the duke is my enemy, and to give him warning of the peril that he is in ; but to spare your majesty any trouble on that head, I entreat you, if my solemn promise of keeping this fatal secret be not enough, to make yourself easy by securing my person this moment."

"No Grillon," replied the king : "I know, I love and esteem you : your word is sufficient ; and I forgive you a refusal, which is wholly owing to your too scrupulous delicacy."

Besieged with a handful of men, at Quilleboeuf, by M. Villars, at the head of the rebels, he refused to surrender, though the place was not tenable, making this resolute reply to the enemy's summons : "Villars is without, and Grillon is within." In effect, he foiled all the efforts of that experienced officer. Yet, notwithstanding his valour and fidelity, which rendered him the favorite of five successive monarchs, he could never obtain preferment suitable to his merit, which his biographer attributes to the blunt honesty, and frankness of his disposition, though it is probable that Henry the Fourth, in particular, would have elevated him to the dignity of marshal, had he not perceived that his talents were rather calculated for a subordinate capacity, than for the command of armies. Disgust, in some measure, induced Grillon to retire to his country estate, a little before the death of that glorious monarch, who preserved the highest regard for our hero, and kept up a constant intercourse by letters, during the short period of his life. The following anecdote, perfectly in keeping with the superstition of the times, is related by his biographer :

"Henry the Third was at Avignon in 1574, with Henry king of Navarre, Henry Prince of Condé, (who was poisoned at St. Jean d'Angely, on the 5th of March, 1588,) and Henry Duke de Guise. These four princes were at play with dice in Grillon's house, on a marble table : all on a sudden, blood spouted out, and covered their hands, though they never could discover whence it came. This accident broke up the party ; they argued differently upon it : but, since the violent deaths of these four princes, those who were witnesses of the fact, looked on it as a fatal presage of the death they were to expect."

Not long after the assassination of Henry the Great, Grillon, whose health had been long impaired, became sensible that he had depended too much on his own strength ; for he was so extremely weakened, that his body, covered with wounds, refused the assistance of medicine : the pains he suffered were acute and universal : yet his courage and resolution never deserted him. The day before he expired, the marquis de Javon, son of one of his sisters whom he tenderly loved, was standing by his bed-side, his eyes streaming with tears. Grillon said to him, "Nephew, do not weep for my death : my life is no longer useful to the

state." He bore his illness not only without murmuring, but with the submission worthy of a Christian: he died the 2d of December, 1616, after having received the sacraments, in the seventy-fourth year of his age. His body was carried to the church of the Cordeliers, and deposited in the tomb of his ancestors. His funeral oration was pronounced by Père Bening, a Jesuit.

In Grillon the social and heroic virtues were remarkably united: superior to flattery, he was fond neither of giving or receiving praises, and was only solicitous to deserve them: a slave to his word, no one had ever cause to repent being engaged with him; the secrets he was entrusted with, were to him a sacred deposit; humane and generous to excess, he was a never-failing resource to those who wanted his assistance; adored by the soldiers, no danger intimidated them, when commanded by Grillon. The obedience of the troops was less owing to the authority of his post, than the confidence they had in his valour: the officers and soldiers were so attached to him, that if a principle of virtue and duty had not secured their obedience to their king, gratitude and respect for their general would have confirmed it.

The king having once made him a present of ten thousand crowns, (a very considerable sum for those days,) he distributed it among the soldiers of his regiment, without reserving a farthing for himself.

He was always inviolably attached to the kings; never deserting their interests, notwithstanding the contagious examples so frequent at court, where perfidy was rewarded with the highest dignities, and rebellion assumed the specious appearance of religion: he was not insensible to innocent pleasures, but never carried them to excess. So many united virtues were not without some defects: the character of Grillon is too truly great to make it necessary for his historian to flatter him. He took fire at an equivocal expression, and carried his resentments to an extreme. This captious delicacy was the source of many duels, which made his society dangerous: his frankness sometimes sunk into abuse: he had a habit of swearing, which he knew not how to conquer, even while he was at confession.

Such was the brave Grillon; he had few faults and many virtues. While probity and valour are dear to mankind, his name will be mentioned with honour.

TRANSLATIONS FROM THE GERMAN DRAMATISTS.

No. 1.—EXTRACTS FROM KÖRNER'S ZRINY.

ACT I.—SCENE 1.

LEVI (*Soliman's favourite physician*).

MY imperial master hath desired my presence—
The slave awaits his royal lord's behest;
Your health, perhaps, requires my long-tried skill?

SOLIMAN THE GREAT (*Emperor of the Turks*).

I know thee well and thy fidelity,
And therefore have I summoned thee;—Now, Levi,
Tell me, how long, dost think, my life will last?

LEVI.

Sire, only He above can answer this:
These are enigmas which defy my art.

But it could tell you that this strength of nerve,
The fire that glows in your heroic eye,
The deep enthusiasm of your vigorous soul,
All fairly indicate full many a year
Which gracious Heaven hath still allotted you.

SOLIMAN.

Full many a year yet, Levi?

LEVI.

Aye, with care,
Ten years, methinks, might yet be yours:
But then, you must be sparing of your royal person.

SOLIMAN.

Silence, old man—I desired no more.
Thy art allows me full ten years, if I
Consent to nurse my frame in slothful ease;
But it has been inured to vigorous action,
It surely then will bear one year of war.
More I need not, Levi—Go, summon Mehmed.

SOLIMAN (*solus*).

I spare myself? Shall I look idly on,
Whilst slowly the last spark of strength expires
That in the aged hero's limbs still slumbers?
When I appeared the world around me trembled—
The world shall also tremble when I perish!
This is the great and god-like lot of heroes!
The worm is born, then trampled under foot,
And leaves no traces of his puny life.
The people drag, in grovelling generations,
Their poor existence on; the lowly skulk,
Both in and out of being, unannounced:
But when the lordly hero is to come,
A God proclaims it from his starry dome;—
Foretold, he comes upon the wondering world;
And when the arm of death o'ercomes the victor,
Sad nature wakes a thousand secret voices,
Which to the world in boding tones proclaim
That the proud Phoenix gloriously is rushing
Into the fiercely overwhelming flames!
Now, House of Austria, send thy banners forth,
The hero, Soliman, would conquering die,
And bury in thy blood the past disgrace!
My laws shall be imposed upon this age.
Up, Germany! arise, collect thy warriors!
Thouallest for thy freedom, for thy God!
The world shall know it when the lion dies—
Vienna's flames shall be his funeral torch!

Soliman, after this interview with his physician, resolves to renew the war against Germany and Europe with increased vigour. He, however, summons his council for the purpose of asking and receiving advice, which, like most men, he is predetermined not to take. With an army of two hundred thousand victorious troops, he prepares for the march, when information reaches him that Sigeth, a comparatively unimportant fortress on the Hungarian frontier, is commanded by Count Zriny, an Hungarian chief, deservedly renowned for his dauntless bravery and consummate skill as a commander. Soliman, jealous of the count's high fame, determines, in opposition to the advice and remonstrances of his best and most experienced officers, to besiege and take Sigeth on his way to Vienna, though this compels him to take a circuitous route through a hostile country. The bravery and skill of Triny enable the garrison to defend the place to the last extremity, and Soliman is compelled to waste a considerable portion of his precious time, and an almost incredible number of his best and bravest troops, before the place. The Sultan dies at the moment when the Turks at length obtain possession of the ruins of Sigeth. The following scene is translated from the last act

of the tragedy. There are many others in the piece of greater force and beauty, but perhaps none so well calculated for exclamation.

Helen, Count Zriny's daughter, is betrothed to Juranitsch, one of his officers. The count, at the close of the preceding scene, is on the point of making a last and totally hopeless sally from the fortress with a chosen band of his bravest followers. Like another Decius, he rushes on destruction to save his beloved country. He, therefore, bids a last and soul-stirring farewell to his daughter and her lover, to whose guardianship he affectingly commits her. The Countess Triny has sworn not to survive her valiant lord, and to set fire to the powder magazine the moment the Turks scale the walls. The scene then opens with the lovers still clasped in speechless embrace, some time after the count's departure on his forlorn hope.

JURANITSCH.

Another kiss—thus let us part.

HELEN.

Lorenzo—

No—no—not thus—thou canst not leave thy bride
At this dread hour of peril and commotion ;
Or wouldst thou have me crave the boon of death
From some intemperate lawless Janissary ?
Shall cruelly a stranger's murderous hand
Aim the fell dagger at my panting heart ?
Shall the Turk's fury wound my tender breast,
Where every vein has throbb'd for thee alone,—
Where every pulse has beat for none but thee ?
“ Let Death's dark angel join your hands for ever.”
Thus spake my father,—wouldst thou scorn his words ?
No, Juranitsch, let *thy* steel strike my heart,
And from my pale lips kiss my soul away.

JURANITSCH.

God, what dost thou ask !

HELEN.

What the weak maiden's hand

Would do wert thou, love, lying wounded here,
Too faint to seek thy death amidst the battle,
Yet writhing to escape the headsman's axe ;
Unshrinkingly would I the poniard seize,
And fearlessly our parting souls unite.

JURANITSCH.

What, murder thee ! no—no—I cannot do it.
Stern death hath often thundered round me :
My brother at my side did fall—for ever !
Upon my father's corse my foot hath stood,
Yet, unappalled, I neither shrank nor fled ;
But rushed infuriate with the sword of vengeance
Into the savage foeman's murderous band.
But oh, to nip this rose !—When the fierce tempest
Strikes down huge oaks and prostrates towering pines,
It leaves the tender blossoms all unharmed,
And its loud thunders sink to zephyr whispers.
Shall I be fiercer than the wildest storm,
And rend the fairest vernal wreath of life ?
Surpassing the ferocious element
In cruelty, shall I thus crush this blossom
Which Fate's dire hand has never dared to touch ?
Never ! I cannot !

HELEN.

If thou lovest me,

If with the winds thy vows have not departed.
If aught be sacred to thee in this world,
God, Country, Freedom, Innocence, and Love,—

O, kill me: we shall meet in yon pure sky,
I'll meet thee there with Heaven's own wreath of palms.
O, if thou lov'st me, thou canst not refuse—
I must die soon—or shall the haughty Sultan
Drag me too 'mongst his slaves to grace his train?
Wouldst thou not rather see my death than shame?
Shall force—

JURANITSCH.

Hold, Helen, hold—my hand shall kill thee!

HELEN.

Not thus, my love, not in this frantic mood.
No—calm and peaceful let thy poniard sink
Into my breast, and open to my soul
The beauteous path to the bright home above.
Embrace me—O how happy am I now!
My eyes have lost their film, and all is light:
The veil is rent, and all lies clear before me;
A bright new morning beams within my soul;—
Thus give me death, and with thy bridal kiss
From my pale lips, soft kiss my soul away.

JURANITSCH (*pointing to the sky*).

Yonder, then, love, we meet in bliss again.

HELEN.

Yonder we shall be linked in love for ever.

JURANITSCH.

And thou wilt look from Heaven upon thy love.

HELEN.

Thy bride shall call thee, tarry thou not long.

JURANITSCH.

And when death comes, and my brave comrades call?

HELEN.

Then die a hero, triumph o'er the foe,
And I will meet thee with the heav'nly palms.

JURANITSCH (*kisses her and stabs her at the same time*).

Then take this kiss, and crave thy Maker's blessing.

HELEN.

O thank thee, thanks, love, for this sweet, sweet death.
Let me not tarry long,—but one kiss more—
With this last kiss my soul is winged away. (*she dies*)

JURANITSCH.

Farewell, farewell, my sweet, my lovely bride!
Hark, how they call!—Ha! I come, I come!
O let me forth! the beckoning swords are streaming
Where, through dense smoke, fierce strife and death are gleaming.
But, welcome death! I reck not what betide,
So thy first summons bear me to my bride!

J. D. PIERCEY.

ANGLO-NORMAN INSTITUTIONS.—No. 2.

We propose, in this article, to give some account of the regulations observed in the interior of the ancient palaces of the kings of France and England; to describe the customs that therein prevailed; to point out the various officers attached to them, whether holding appointments of

honour, or discharging domestic services: in short, to give our readers some insight into the *etiquette* of the old Anglo-Norman court. The document from which we have collected our materials is called "The Laws of Hoël-Dà," or, Hoël the Good, one of the sovereign princes of Wales, and composed at the beginning of the tenth century. It may seem strange, but it is nevertheless true, that the officers of the court of this prince were invested with precisely the same duties and privileges as those of the kings of France and England, as appears by the evidence of the ancient history of the two monarchies; and whenever mention is made of the officers of their palaces, they are described as having the same rank and discharging the same functions, as the officers of the princes of Wales. We might have composed this article from the laws of Æthelbert and the Capitularies of Charlemagne, but we have preferred following those of Hoël-Dà, because they are more copious in details, and more satisfactorily arranged, and better explain the peculiar manners of our ancestors.

The Welsh prince divided all the functionaries of the palace into two classes: the former were called "officials of the palace;" the latter, "domestics of the palace."

The first were twenty-four in number. The prefect of the palace; the chaplain; the steward; the falconer; the judge of the palace; the superintendent of the stables; the chamberlain; the harper; the silencer; the chief huntsman; the mixer of honey with wine; the leech or physician; the cup-bearer; the porter of the interior of the palace; the cook; the lamp-lighter; the queen's steward; her almoner; the superintendent of her stables; her chamberlain; her lady in waiting; her porter; her cook; her lamp-lighter.

The second class were only eleven in number. The king's farrier; his foot-rubber; his farmer general; his beadle; the porter of the outer gates of the palace; the watchman; the woodman; the baker; the blacksmith; the chief musician; the washerwoman.

The prefect of the palace was usually a prince of the blood royal: his house was an asylum and refuge for every criminal, and he had moreover the privilege of lodging any one he pleased in a place of safety. At the three principal festivals of the year, Easter, All Saints, and Christmas, he presented the harper with his harp. All the officers lodged in the palace near his apartments, to be ready on the instant to execute his commands. He was served at table immediately after the king. If he dined alone, then he had three platters of meat, and three drinking horns, filled with the best wine from the king's cellar; the first horn he pledged to the king; the second, to the queen; and the third, to himself. At every solemn festival, he received from the king a woollen coat, a horse, some dogs, some hawks, and a double allowance of corn for his horse: the queen also on these occasions made him a present of some linen. The king's farrier shod his horses four times in each year. If the king was angry with any of his attendants, the prefect had liberty to invite them to his table, and solicit their pardon from the chief. He selected those who were to accompany the princes of the blood, when they travelled, either on business, or for their pleasure. When the king was absent, the prefect was approached with the honours paid to royalty. None of the officers of the household could change, or dispose of, their clothes, without his permission: he could compel any of the harpers to play or sing, when he chose, and the physician was obliged to attend him gratuitously.

The king's chaplain received all his clothes from the king and queen:

all the ecclesiastics, employed in the royal chapel, were under his control ; but they lodged in the same apartments. His right of sanctuary for criminals extended from the palace gates to the nearest church in which he had last celebrated mass : he had only one platter and one horn of wine at each repast : the offerings, made by the king and queen at the great festivals, were his perquisite, as well as the robes of penitence which they wore during Lent : the king supplied him with horses ; he nominated to vacant benefices, after having proposed, for the royal approbation, those whom he deemed most eligible.

The steward had his maintenance, as well as the chaplain : at the three grand annual festivals he was covered with a new mantle by the prefect of the palace : the old one was then given to the chief musician, who in turn gave his to the porter of the interior of the palace. The steward was inspector of the kitchen and cellar, and shared, with the cook, the skin of all animals destined for the king's table. The protection he was allowed to afford to criminals only lasted from the hour at which the domestics of the palace rose to the hour at which they slept. He provided all the food, regulated the service of the king's tables, also those of strangers who visited the court, as well as of the falconer, and the foot-rubber. In respect to the farrier, the steward only supplied him with drink. This officer handed to the king his plate and cup during his repast, and only offered each of them a single time to any of the royal guests. He tasted the strength and quality of all the liquors. The chief huntsman, during the month of October, gave the steward the skins of all stags killed by the king, with which he made cases to enclose all bottles containing the king's wine. The skins of the hinds were his perquisite, from the middle of February to the commencement of May, as well as all liquors left at the bottom of casks, when the depth did not exceed the length of his finger. He presented chairs to those whom the king allowed to be seated in his presence.

The falconer, besides his clothes, had an apartment in the royal granary, lest the smoke, which was common in every other room, should injure his birds. He was obliged to go into the middle of the court-yard of the palace, and fill his jug with his allowance of liquor at every meal, for his measure was carefully fixed, and this publicity was required lest he should become intoxicated, and thus neglect his birds. He received from the king's kitchen all the hearts and lungs of whatever animals were slaughtered, wherewith to feed his hawks. In the autumn, the skins of stags, and in the spring, those of hinds, were given to him, out of which he made gloves and leashes to hold his birds. If the hawk killed a white or tufted heron, or a crane, the falconer was regaled by the king during the whole night. If this lucky sport happened during the king's absence, when he returned, the falconer presented himself to announce his success, and on these occasions the king rose from his seat to receive him with marked distinction, and gave him the coat he wore for a perquisite. All the old mantles of the king belonged to him ; many have thought that the office of falconer was once incorporated with that of the chief huntsman, and afterwards separated from it : but the laws of Hoël-Da and Hincmar disprove this opinion, by showing the very marked distinction between their respective duties and privileges.

The judge of the palace in Wales represented the chancellor of the English and French kings : he slept in the royal chamber : the queen supplied him with a quilt and mattress ; and the mattresses which the

king did not use were converted into pillows for his convenience. He never quitted the court : his horse was placed in the royal stable, between the king's and the wall. When invested with the functions of his office, the king gave him an ivory set of cheastmen, and the queen presented him with a golden ring : he was not allowed to sell or give away these articles. When he entered, or went out of the palace, the great gate was opened : all the subordinate administrators of justice were nominated by him, and the king could not suspend him, or alter his sentences : if displeased, he was obliged to discharge him entirely.

The superintendent of the stables received, as salary, four deniers for every horse that the king ordered him to give to any of his subjects or to any stranger. He also had all the saddles, when the wood, of which they were made, began to lose the brightness of its colour : all bridles and stirrups when partially worn out were also his perquisite, but these he had to see replaced with the skins of bulls and cows, which were delivered to him by the steward. He enjoyed the right of affording sanctuary, the limit being the space of ground that the fleetest horse could run over in one day : a most singular privilege, which clearly shews the dignity of his office. He also fixed the allowance of corn for all the horses belonging to the different officers of the royal household.

The chamberlain watched over the king every night. All his old clothes were among his perquisites ; he took his meals in the royal chamber, and guarded his treasure, by which we are to understand, his drinking horns, his drinking bowls, and his rings ; he gave asylum to criminals who sought his protection, from the time that the domestics began to take out the old straw from the king's bed till a fresh bed was made. This is also a singular regulation, and those who delight to trace the progress of luxury and the arts, cannot fail to contrast the straw beds of antiquity with the down ones of modern sovereigns.

The harper lodged with the prefect of the palace. When the king ordered him to sing, he commenced by chaunting the glory of God, and then the honour of the king ; after this he was allowed to select his own subjects. The queen could command his services, whenever she pleased, provided he sang in an under tone, for fear, says the old chronicle, lest he should disturb the king and his counsellors in their deliberations.

The silencer, as the name imports, was the officer appointed to call to order any one who spoke too loud, and caused disturbance in the precincts of the palace. He also collected the royal revenues, and lodged with the steward.

The chief huntsman was allowed double rations for his horse all the year round. When he took the oath of office, he swore by his horn and his dogs. He was allowed to keep as many hounds as the king ; went before him at the head of the army ; and handed him his horn, when he hunted. When in the country, engaged in preparing for the chase, he was lodged and fed by the king's tenants in the district.

The mixer of wine and honey received, as his perquisite, all the wax from the honey combs, besides being lodged, clothed, and fed at the king's expense.

The leech or physician had a fee of four deniers for extracting a bone from the skull, provided it were sufficiently large to make a brass kettle ring, if thrown against it : if he applied red ointment to a wound, he received twelve deniers : all linen, either torn or smeared with blood, was his perquisite : but if he did not cure his patient, he was not entitled to any thing : too fortunate, says the law, if he escaped punishment.

The cup bearer had as many candles as he chose to demand, and all the cloth which covered the drinking bowls, when they had been long used.

The porter of the interior of the palace was obliged to know by sight all the officers of the palace, lest he should inadvertently refuse any one of them admittance; if he did, he was subject to a fine. When the king was in the palace, the porter could not move from the door to a greater distance than the length of his arm and his lance: if he was struck or insulted, when beyond this limit, he had no redress: but he could strike any one who stood in the king's path.

The cook tasted all the victuals before they were served. He placed the last dish on the royal table, and all that was left after the repast was his perquisite. The steward supplied him with pepper and fine herbs. He lighted the lamps. Every criminal had sanctuary with him, as long as the lights were burning. All the candles were exactly of the same length, and Asserius, the biographer of Alfred, declares that that prince made use of them to calculate time, as we now do of watches.

The lamplighter held one close to the king's chair during supper: he had all the ends of the candles, when they were extinguished, as a perquisite: when dark, he walked before the king with a lamp, wherever he went, till he retired to bed.

The officers of the queen performed the same duties towards her as the officers already named respectively performed towards the king.

With regard to the subaltern officers, the farrier held the king's stirrup when he mounted on horseback: he shod all the royal horses, and those of the officers of the household.

The foot-rubber was obliged to rub the king's feet gently, when he went to bed, till he fell asleep: he lighted the first candle on the royal table, and took his meals on a low stool behind the king's chair.

The farmer-general superintended the cultivation of the royal estates.

The beadle was charged to see that too much fire was not lighted in the apartments; he was subject to the orders of the silencer. He never quitted the room where the king was dining: the lance which he carried was only three cubits long: had it been longer, says the law, he would have been seen at a distance, and those who had been causing disturbance in the palace, would thus have had an opportunity of escaping from him. He gave notice of the sale of all goods, belonging to the officers of the court, which had been confiscated. During the royal audiences he stood all the time; for if any one insulted him, if he happened to be sitting on these occasions, he could only demand, in compensation, one measure of oats.

The porter of the outer gates of the palace was entitled to a basket full of all fruit and herrings that entered the palace, and from every cart laden with wood, one bundle. He slayed all beasts destined for the royal table. If any hogs were captured from the enemy, one, out of any number that entered the court-yard of the palace, became his perquisite, provided he could lift it from the ground as high as his knees, holding it by the bristles. It was his duty to warn the labourers, employed about the palace, at what time they were to resume work, and, as a recompense for this part of his office, he received all cows, found on the royal farms, which had lost their tails.

The watchman was always a native. The king's person was particularly confided to his care and vigilance. If he was found asleep, when

the king was reposing, he invariably forfeited his life. He received as a perquisite the eyes of all animals killed for the use of the palace.

The woodman prescribed the times for felling timber, and saw it carried into the royal yards, whence he delivered it, as occasion required.

The baker not only superintended the bakehouses, but cut the bread into slices and placed it on the king's tables, and those of his officers.

The blacksmith furnished gratuitously all the working tools of his trade; but he was paid for all lances, battle axes, and whatever iron he used in doors or mills. No one could be a smith without his permission, and when he granted it, he levied a fine on the applicant, in the shape of a good will.

The chief musician sang for hire in all companies to which he was invited: no one had a right to sing where he was present. When he attended a wedding, his fee was twenty-four deniers, but he was obliged to serve the guests at table; if either the husband or wife died, and the survivor contracted a second marriage, then he was not paid a second fee. His instruments were the harp and flute.

The laws of Hoël-Dà mention nothing concerning the duties or privileges of the washerwoman; the name sufficiently indicates the nature of her department: it is probable that she superintended the domestics of her own sex, who were employed in the palace.

Though this general description refers specially to the *étiquette* observed in the courts of the Welsh sovereigns, yet, as we have already remarked, the same regulations obtained among the French and English. For instance, the laws of Ethelbert mention the chief of the workmen, the domestics, the cup bearer, the purveyor. Gregory of Tours often speaks of the earls or counts of the stables, the keeper of the horses, the senators, the judges of the court, the chief or count of the domestics, the chamberlain, the referendary, the baker, the master of the pantry, the cook, and the major of the palace.

At each page of the capitularies, observations are made on the domestics, the guests, the vassals, the servitors, and the rural labourers of the king.

Hincmar expresses himself somewhat more vaguely, but he divides all the attendants into two classes, as does Hoël-Dà, and calls them *ministros* and *ministeriales*. Among the former he includes the chaplain, the watchman of the palace, the keeper of the seals, the chamberlain, the prefect of the palace, the senechal, the butler and cup bearer, the earl of the stables, the superintendent of the apartments, four huntsmen, and the falconer. Among the latter, he places the sacristan, the steward, the keeper of the treasury, the keeper of the dogs, the keeper of the wardrobe, and the huntsman on horseback.

Besides these officers, he mentions several others, whose functions are not specified; such as those who were attached to the service of the queen. Although he differs from the Welsh rules in some few particulars, in the rank assigned to the officers of whom he speaks, nevertheless he attributes to their functions the same rights which are ascribed to them by the laws of the Welsh. For instance, he observes, as well as Hoël-Dà, that the earl or prefect of the palace often interceded with the king to mollify his displeasure and resentment, and to obtain the pardon of criminals: that all the ecclesiastics of the chapel were subordinate to the chaplain, as well as all the inferior judges and administrators of the law to the chancellor.

Gregory of Tours also says, as did the Welsh law maker, that the chamberlain had the custody of the treasury ; in the Capitularies De Villis, it is stated that the husbandmen and their overseers received the same protection and paid the same dues as are mentioned of the same class of persons in the Welsh laws. And if any further proof were wanting to show that the Welsh laws were the same as those of the Anglo-Saxons and French, in reference to the officers of the palace, and the etiquette of the court, it is this : that the most ancient treatises on the primitive customs of England, among others, those of Mackenneth and Fleta, describe exactly the same regulations.

THE NORMAN ROLLS.

2 John—1200 to 10 Henry V—1422.

THESE rolls are so called from their relating to the affairs of Normandy, or to indifferent transactions which took place in Normandy, though they will be often found to contain entries having no relation to either of such circumstances ; and this is probably to be attributed to the negligence of the chancery clerks, who made wrong entries on the various records.

The Norman rolls are divided into classes for the different subjects they contain ; and we find in them the rolls of patents, charters, writs, &c. They are for a period (though with some interruption) of two hundred and fifty-six years, commencing in the second year of the reign of king John ; but that unhappy prince having lost the Norman dominion, they were discontinued from his time till the recovery of it by Henry the Fifth. The following is the list of those that exist :—

<i>Date.</i>		<i>No. of Rolls.</i>
2 John.....	Norman Chart	1
—.....	Oblata Norman.....	1
—.....	Contra Brevia Norman	1
4 John.....	{ Rot. terrarum liberatarum et contra }	1
	{ brevium de Norman, &c..... }	
6 John.....	Normania.....	1
5 Henry V.....	Norman Pat	1
6 —.....	Patentes Norman.....	1
—.....	Norman ad 8.....	1
7 —.....	Norman Pat	2
8 —.....	Norman Pat	3
9 —.....	Norman Pat.....	1
10 —.....	Patentes Norman.....	1

The contents of these records are important to the genealogist, as they relate to a great proportion of the men of consequence of ancient days, most of whom were of Norman origin, and possessed property in that duchy ; and they are peculiarly interesting to the natives of the Channel Islands, as historical records of their ancestors. They relate to events so numerous and various, that a few of the most important can only be here enumerated. In them we find letters of safe conduct and protection, confirmations of every description, grants of all sorts, pardons, attainments, royal licences to individuals, for innumerable permissions, restitutions, writs for doing justice, for trials, for taking into custody, for preventing duels, for legitimatizing, for marriage between private individuals, grants of wardships, exemplification of charters, fines, authorities for levying taxes, examination of witnesses, and licences to import goods,

to catch wild beasts, to trade, and to travel. In them also will be found a curious account of the lands in England, held by the Normans in the sixth year of the reign of John.

In 1743, a catalogue of the Norman rolls was published, together with the Gascon and French rolls, by Thomas Carte, the author of a History of England, in two volumes folio, with the following title:—

“Catalogue des Rolles Gascons Normans et François, conservés dans les Archives de la Tour de Londres, tiré d’après celui du Garde des dites Archives. Et contenant le précis et le sommaire de tous les titres qui s’y trouvent concernant la guerre, la Normandie, et les autres provinces de la France, sujettes autrefois aux rois d’Angleterre, &c.

À Londres, et se trouve à Paris, chez Jacques Barois, fils, Libraire, Quai des Augustins, 1743.”

This catalogue contains the title, date and matter of about twenty thousand charters, which may be divided into three classes. 1. Historical, as treaties of peace, conventions and truces with great men. 2. Grants to communities or towns. 3. Relating to the affairs of private individuals.

It is said that Carté’s catalogue is not free from errors or omissions. The value of such a work to the public is nevertheless as undoubted as the merit of the individual, by whose personal exertions, and at whose private expense, the book was published.

The rolls are preserved at the Tower of London: extracts from them are in the public library of Oxford¹ and in the British Museum.² The earliest of the originals has this commencement, which we give as a specimen of the whole:—

“Hic est Rotulus Cartarum et Cyrografarum Normanniæ factus tempore Guarini de Glapion tunc Senescalli Normanniæ anno secundo Regni Regis Johannis, Assistantibus ad Scaccarium Sansone Abbate Cadomi et Radulfo Lake, Petro de Lions Clerico Domini Regis.”

Of the genealogical utility of the Norman rolls, the following are proofs:

In the Fitzwalter pedigree, as drawn up and published by Sir William Dugdale, the Norman rolls are referred to as proving the decease of Sir John Cheney, knight, without heirs male, whereby his lands in the duchy of Normandy, of the value of five thousand scutes, returned to the crown; and in consideration of the services of Humphrey Fitzwalter in the wars of Henry the Fifth, were bestowed upon that subject.³

In the pedigree of Foix, earl of Kendal, Sir William Dugdale traces the early part of his descent solely by means of the Norman rolls.⁴

In like manner, the immediate foundation of the noble family of Fienes, which bore the title of Say, is traced by the Norman rolls.⁵

In the Grey pedigree, the creation of Sir John Grey, Lord Powys, to be earl of Tankerville, in Normandy, is proved solely by the Norman rolls, on which the patent of creation is entered: and much of that nobleman’s biography appears on the Norman rolls.⁶

The Norman rolls of Henry the Fifth are cited by Dugdale, in his genealogy of John, duke of Bedford, as containing an entry, that leave was given to Joane, queen of Apulia, by king Henry, to adopt this duke for her son.⁷

(1) Bodleian, MSS. 7376.

(2) Harleian, MSS. 88, 92.

(3) Baronage, vol. 1, p. 222.

(4) Baronage, vol. 2, p. 228.

(5) *Id.* vol. 2, p. 245.

(6) *Id.* vol. 2, p. 264.

(7) *Id.* vol. 2, p. 201.

THE TAPESTRY OF BAYEUX.

(Continued from page 359 of the first volume.)

THE army of William having entered into Brittany, that prince and Harold marched upon Dol, which town Conan was besieging. A crowd of cavaliers, who are represented as in the act of hurling their javelins, seem running rapidly towards a castle, which is placed on an eminence. The most advanced of these cavaliers is already on the bridge, or rather on the steps by which they ascend it. On the opposite side, we observe a warrior, a helmet on his head, hanging on to a rope which is fastened to the battlements; but it is doubtful from the tapestry whether he is scaling the castle or endeavouring to escape from it, for his attitude admits of both interpretations. At some little distance, the horsemen are fleeing at full speed, some holding their lances in their hands, others carrying them under their arms, and appear most anxious to escape the fury of those who are pursuing them. In this point of view the tapestry describes the raising of the siege of Dol, the entrance of William into the town, and the retreat of Conan; a series of action thus expressed by the inscription: *Et venerunt ad Dol, et Conan fuga vertiter.* The tapestry next represents the castle of Rennes, to which Conan pushed forward part of his forces, when he received intelligence that William had entered Brittany. This castle is described, as is that of Dol, raised on an eminence: it is divided into battlements and surmounted by a tower or donjon raised in the centre, with the inscription *Rednes*. The true inscription was doubtlessly *Redones*: in the tapestry the name is cut in two, *Red* and *Nes*, and between these two syllables is the painting of the castle, in consequence of which the letter O is lost or omitted. The most ancient and common appellative of Rennes was *Redones*: in the middle ages, it was called *Redonis*.

The tapestry next represents another expedition undertaken by the army of William: it is the capture of Dinan, a town in Brittany, at six leagues distant from Dol: no historian of the time has noticed this event. Cavaliers, armed in the manner herein before stated, present themselves before a lofty castle, and are in the act of hurling their javelins, and on the gate and ramparts are other cavaliers similarly accoutred, who resist the entrance of the attacking party, and also hurl javelins; on all sides these weapons may be seen darting through the air. At the foot of the castle walls, we remark two men armed, but on foot, each with a lighted torch in his hand, with which they fire the palisades: the inscription in this place is, *Hic milites Willelmi ducis pugnant contra Dinantes*, that is, Here the soldiers of duke William fight against Dinan. This mode of expression leads one to suppose that William was not personally present at this siege, and that it was undertaken by a detachment of his troops, probably commanded by Harold: and this supposition corresponds with the remark of William of Poitiers, who observes that the Duke of Normandy did not think it prudent to advance with his whole army too far into Brittany, as the whole population had retired into strong fortresses, and the corn was not yet ripe. The defence of the besieged was unavailing, and they at last were compelled to surrender the town, which is shewn in the tapestry by representing Conan himself standing on the gate of the castle opposite to the side on which it is attacked, who holds out his lance, to which his gonfalon is attached, and at the end of which are

the keys of the castle : these are received by one of the Norman cavaliers on the end of his lance, who is accompanied by two others, and if Harold had the command of this expedition, it is he most probably who receives the submission of Conan. *Et Conan claves porrexit*, And Conan stretched out the keys. This section of the tapestry teaches us three things. First, the siege and capture of Dinan in 1065, which has not been mentioned by any of the old chroniclers ; secondly, the mode of surrendering a town in those days, by presenting the keys on the end of a lance to the besiegers, who received them on the same weapon : thirdly, that the town of Dinan was anciently called Dinantes, although M. de Valois declares that he has never found it called among ancient authors by any other name than Dinannum. With this conquest the tapestry concludes the expedition into Brittany. William now desired to confer on Harold some token of his gratitude, and reward him and his followers for the courage they had displayed in the war. According to the inscription on the tapestry William gave Harold some arms : *Hic Willelm dedit arma Haroldo*.

William is standing up armed from head to foot, his sword at his side : he puts one hand on the helmet of Harold, and the other on his arm : Harold, who is also standing up and armed, rests on his lance, to which his gonfalon is attached, and wears his sword at his side. From this ceremonial it appears that William then created Harold a knight, as the expression *arma dare* in this passage seems to import, for the bare gift of warlike weapons would have been unworthy of the generosity of the duke, and indeed the Roman de Rou expressly states that William conferred knighthood on Harold. We may here remark that this ceremony was almost the same, as observed on similar occasions at a later date. They girded on the sword, placed the helmet on the head, wore the coat of mail, presented the lance, and placed the hand on the right arm of the knight. The Roman de Rou states that this honour was bestowed on Harold, at Avranches, *before* the expedition into Brittany. William and Harold next went to Bayeux, and according to the tapestry, Harold there swore upon the relics of the saints that he would inviolably fulfil the promise he had made to William, as to his succession to the throne of England. Almost all the old authors differ as to the place where this oath was pledged. William of Poitiers says that it took place at a public meeting purposely convened by the duke, *apud Bonam villam*, before the expedition into Brittany. It is not easy to discover this town, as there are many called Bonneville in Normandy ; Ordericus Vitalis, on the contrary affirms that it took place at Rouen ; and the Chronicle of Normandy, at Sainte Marguerite near Jumieges. These contradictory statements seem to be erroneous, for the tapestry and the Roman de Rou both agree in fixing Bayeux as the place, and their evidence is decisive of the locality. It may be further remarked, as we have already stated, that Odo, uterine brother of William, was then bishop of Bayeux, and it is highly probable that the Duke of Normandy would select the cathedral of that town to give the increased solemnity of a religious sanction to a promise so important to his interests. The Chronicle of Normandy states that William employed some trickery in the administration of this oath, which it would have been much easier to effect at Bayeux than at any other place, as his brother was disposed to use all his efforts to aid his ambitious views.

According to this testimony, William employed this stratagem to give additional solemnity to the oath of Harold, by making him swear on a

greater number and a better assorted choice of relics than the Saxon prince was aware of. According to the Chronicle of Normandy, the duke filled up a box with the most precious toenails, hair, and bones, of the most eminent saints, which he covered over with an embroidered napkin, and on the top, visible to the eye, he placed an ordinary relic, the sanctity of which was not peculiarly remarkable. Harold took the oath in the usual form : *Ita me Deus adjuvet, et sancta evangelia* : So may God help me, and the holy Gospels. William, in order to inspire his dupe with greater feelings of reverence, and impress upon him more forcibly the religious obligation of his promise, then removed the napkin, and exhibited the concealed relics, on which Harold had unwittingly sworn. The truth of this story, as now narrated, is however doubtful : at least it appears to be exaggerated : none of the cotemporary historians mention it, nor can any inferential evidence be deduced from the tapestry to justify this statement : it simply represents William and Harold arriving with their military retinue at Bayeux, *hic Willelm venit ad Bagias*.* Bayeux is designated, as are all other places described in the tapestry, by a castle seated on an eminence, and which could only be ascended by flights of steps.

William is next represented as sitting on his throne, wearing a mantle over his shoulders : he is holding up his sword in his right hand, and stretches out the left towards Harold ; behind him are standing two of his courtiers or officers. Harold, also covered with a mantle, is standing between two shrines, designed for the reception of holy relics, which shrines are painted in the form of an oratory or small chapel ; he places one hand on each of these shrines : the inscription is : *Ubi Harold sacramentum fecit Willelmo duci* : Where Harold pledged his oath to duke William. Beyond the further shrine, are seen two men armed with lances ; the covering of their legs is made of small fillets, which was very unusual for the soldiery : from which it should seem, that they were thus purposely distinguished from the rest of the attendants, and were intended to represent the chief lords and vassals of the court, carrying their weapons on account of their dignity, but otherwise apparelled in what is now called their "court dress." These fillets, which also encircle the legs of William and Harold, formed the usual covering of the princes and nobles under the second race, as appears from the old paintings of Charlemagne, Lothaire, and Charles the Bald. According to the tapestry, it appears that they were still in use in the time of the Conqueror, with, however, this difference : in times anterior to his, they extended to the extremity of the foot, but in the reign of Duke William they did not cover the foot, which was protected by what we may call a modern slipper. It appears moreover that this part of the dress belonged exclusively to the chief lords : so far at least as the tapestry is instructive on this point, it is only seen on the Count of Ponthieu, William and Harold, and a very limited number of persons who are clearly the principal barons.

By this oath Harold engaged, if we are to believe William of Poitiers, who declares that he received his information from many credible persons who were present, to act as the vicar or attorney of Duke William at the court of Edward, as long as the king lived : that he would do all in his

* This argument, however, admits of another turn. Fear might have closed the lips of the existing chroniclers, and surely the wife of William would not have recorded the dishonour of her husband on a monument she had raised to commemorate his glory.—Ed.

power, both by his recommendation and bribes, to guarantee and secure the sceptre of England to William after the death of Edward; and moreover, that he would not only give up Dover Castle, but such other fortresses as the duke might wish to be garrisoned by Norman troops, and at the same time supply them with provisions. This promise of surrendering Dover, is also attested by William of Malmesbury, by Eadmer, and his copyist Roger de Hoveden. Ingulfus, Ordericus Vitalis, William of Jumieges, Matthew Paris, and the other English historians, are silent as to this part of the engagement of Harold: they only agree in admitting that he covenanted to accept William's daughter in marriage. The Chronicle of Normandy calls her Adele and Aèle, and William of Jumieges, Adelize. None but Ordericus Vitalis calls her Agatha: he says that she had a sister named Adelaide, who consecrated herself to God and lived in holiness with Roger de Beaumont. Probably he confounded the names of the two sisters, and that it was the second, Adèle or Adelaide, who was affianced to Harold. However this may be, notwithstanding this solemn oath pronounced upon the most sacred relics of the time, *super sanctissimas reliquias*, says Ordericus Vitalis, *super reliquias sanctorum multas et electissimas*, says Henry of Huntingdon, Harold did not keep his promise. No sooner had he repeated his vows of fidelity to William in private conversation, than he passed over into England. The tapestry represents a vessel with a single mast, a sail extended, and some sailors on the deck: it seems just ready to take the ground. The castle which follows this painting of the voyage, serves both to separate one event from the other, and to designate the port at which Harold disembarked. We see two cavaliers holding their lances, but dressed as simple travellers, one of whom wears a mantle: this last is Harold, who, having landed in England, proceeds to join king Edward: the inscription, *Hic Harold dux reversus est ad Anglicam terram, et venit ad Edwardum regem*, expresses this event; that is to say, The audience which Edward gave to Harold on his return. Edward is seated on his throne, his mantle thrown over his shoulders, and the crown on his head. It appears to have been the intention of those who gave this design for the tapestry, to represent the monarch as bent with years and enfeebled by debility, as his long beard and the drooping attitude of his head clearly indicate. Behind him stands one of his officers, armed with a battle axe: Harold, who stands forward, also wears a mantle, and is attended by a man also armed with a battle axe. He speaks to Edward, and appears to be giving an account of his journey. Ordericus Vitalis says that, at this interview, he disguised the truth, assuring Edward, whose life was daily despaired of, that William had given him his daughter in marriage, and as his son in law, he had abandoned to him all his pretensions on England by way of portion to his daughter. Eadmer, on the contrary, and his continuators, and other English historians who have followed their statements, in order to preserve the honour and sincerity of Harold, affirm that he gave a faithful statement of all that had happened to him in Normandy, and of the violent measures resorted to by the duke to compel him to promise his co-operation in effecting the conquest of England; and that Edward replied, that he had clearly foreseen what would happen, and had expressly warned Harold of the consequences of his journey to Normandy. The historians of the two countries give such versions of this fact, as suited their national prejudices. The Norman Chronicles affirm not only that Harold violated his oath, but also that Edward declared William his heir and successor, and that the sole object of the mission of Harold was

to notify this arrangement to the duke of Normandy. The English, on their side of the question, affirm that William, who had no legal claim to the throne of England, had extorted the pledge from Harold by violence and threats.

There is here an irregular disposition in the tapestry, for which it is not easy to account. Immediately after the audience of Harold, just described, we see the burial of Edward: after which, the king is represented speaking to his courtiers and officers in bed, and lastly we see him at the moment of death. We imagined at first that this irregular disposition was caused through the carelessness of those who were charged to put the tapestry together, but this conjecture we afterwards found to be untenable, because there is no seam or juncture of any kind. Might it not have been done for some private object, to which we have lost the clue? Or, might not the embroiderer have proceeded some way in the work, before the error was discovered, and not thought it worth while to correct a fault that was so palpable, as to correct itself? It is somewhat in favour of this last supposition, that the figures, in the representation of the death of Edward, are reversed, that is to say, they run from right to left, contrary to the usual practice observed in tapestry, where the figures always run from left to right. We shall presently offer another conjecture on this singular irregularity: but as we do not feel ourselves justified in deviating from the order of the tapestry, we shall commence with the section descriptive of Edward lying sick in his bed: his beard is long: the crown is on his head: a man raises him up, and supports him between his arms; two others stand by the bed, who are mourning. At the foot of the bed is another figure, which seems to be that of a female weeping: the inscription marks the farewell interview: *Hic Edvardus rex in lecto alloquitur suos fideles*. It was at this meeting, given by Edward to his principal subjects and most intimate friends, that he declared Harold his successor in spite of himself, being goaded on to this nomination by the partizans of Harold. Below this scene, the tapestry represents Edward dead, and laid out on a winding sheet, while two men, one at the head, the other at the feet, arrange the body. At the side is another man standing upright, elevating two of the fingers of his right hand: both his attitude and dress seem to indicate a priest pronouncing the last benediction. The inscription announces his death: *Et hic defunctus est*. He expired on the 5th of January, 1066. Six days afterwards, the corpse was carried to the church of St. Peter, at Westminster: *Hic portatur corpus Edwardi regis ad ecclesiam sancti Petri*. Edward rebuilt this church, and the monastery attached to it, from the bottom to the top, and the dedication only took place eight days before his burial. This church appears, in the tapestry, to be large and spacious. The principal gate is flanked by two large gates, and two small ones: at the extremity is seen a tower, by the side of which appears a man, standing on the roof of the church, who puts one hand on the summit of this tower, and the other on the vane, which carries a cock. Above the church is seen a hand, issuing out of clouds. This hand is frequently found on the medals of the last emperors of Constantinople. It is also figured above the head of Charles the Bald, in the superb Bible which that prince gave to the church of Metz, and in his book of prayers.

It is generally supposed that this hand, thus placed above the head of these emperors, was intended to signify that they held their crowns from the gift of God: but this explanation is quite out of place in reference to

the tapestry. It is not above the head of the king, but above the roof of the church. It is most probable that this image was here intended to denote, in a more solemn and impressive form, the sanctity of the building. The bier is carried by eight men; it is nearly square, intersected with several stripes or sectional divisions, and loaded with small crucifixes and other holy ornaments. Of these eight men, four are in front and four behind; they carry the bier on their shoulders, with the aid of long poles, two to each pole: such was the ancient mode of conveying the dead, for hearses are a very recent invention. Formerly in France certain people had the privilege of carrying the body of a deceased king to the grave, or his effigy, and this happened in 1610 to Henry the Fourth, who was conveyed to the tomb on poles, just as Edward was. At each side of the bier, we observe two men who hold a bell in each hand. The custom of having bell-carriers in funeral processions, is very ancient. At the close, we see a crowd of persons, clearly mourners, and all the historians admit that Edward was sincerely lamented by his subjects.

Harold lost not a moment in seizing on the throne. Scarcely was the corpse of Edward deposited at Westminster, than he caused himself to be proclaimed king. This fact has not been forgotten in the tapestry. We behold Harold, his mantle on his shoulders, leaning on his battle axe: two men, also wearing mantles, stand before him; one presents him with the crown, while the other seems to say that it is the crown of Edward. The moment of the late king's sickness, owing to the irregular disposition of the tapestry already noticed, is placed along side of the section in which Harold is proclaimed; was it, in order to connect these two circumstances, in view of showing that Harold seized the throne, even *before* Edward was buried, the reason why Matilda and her ladies purposely caused the irregularity which exists? If so, the tapestry differs from the statement of most of the historians, who declare that the crown was not given to Harold till *after* the burial of Edward. The other man, who stands before Harold, holds a battle axe. The inscription explains that they gave the crown to Harold: *Hic dederunt Haroldo coronam regis*.

The section, immediately following, represents Harold seated on the throne. He wears a mantle, the crown on his head: in his right hand, he holds a sceptre, and in the left, a globe surmounted by a cross. *Hic residet Harold, rex Anglorum*. At his left side is a man outstretching his arms: his dress is long, and sweeps on the ground: underneath is a pallium and the chasuble or cope which the priests wore when celebrating the mass; above the head of this man is the inscription, *Stigand archiepiscopus*: Stigand, archbishop. Ingulphus, and his copyist Florentin, of Worcester, say that it was Alfred, archbishop of York, who crowned Harold: William of Poitiers and Ordericus Vitalis, on the contrary, assert that it was Stigand, archbishop of Canterbury, although the other prelates and barons of the kingdom had not given their consent to the election, and that this archbishop himself was under an interdict pronounced against him by Pope Alexander the Second, he having been accused of simony, and other breaches of ecclesiastical discipline. The testimony of these two last historians, corroborated by the tapestry, appears the preferable, more especially if we take into account the conduct of William towards Stigand, after the battle of Hastings, which shows that he was highly displeased with this prelate. After his victory, he refused to be crowned by him, although that privilege was part of his sacerdotal prerogative, as Ingulphus remarks, but conferred that honour on Aldred, or

Albert, archbishop of York. William did more, for he deposed him in a council held at Westminster, two years afterward, in 1068, and gave his diocese to Lanfranc, the first abbot of St. Stephen's, at Caen.

On both sides of the throne, Harold sees his new subjects, who seem, by their actions, to be recognizing him for their sovereign : on the right are two men, wearing mantles on their shoulders, one of whom holds up his sword in the air, and appears to be the representative of the higher nobility and the barons. On the left are a crowd of persons presenting their hands and bowing their heads, in token of allegiance. This ceremony is followed by a remarkable event, narrated by all the old chroniclers ; we allude to the comet which appeared in the month of April, 1066. The ancient historians differ as to the day on which this comet appeared, and also as to the length of time that it was visible. The Saxon Chronicle fixes it on the 14th of the kalends of May, or the 18th of April : Florentin of Worcester, and Bertold of Constances, (who continued the chronicle of Hermannus Contractus up to the year 1100, when he died,) fix it on the eighth day of the same kalends, which corresponds with the 24th of April. Père Labbe, the learned Jesuit, corrects Bertold, who is the only author he quotes, and insists that the comet was first seen on the evening of the 23rd of the same month. According to Florentin, of Worcester, it was visible during seven days : according to the Roman de Rou, fourteen ; according to Ordericus Vitalis and William of Jumieges, fifteen ; according to Bertold, and after him, Labbe, thirty days.

The speculators and the credulous of those days did not fail to attribute the overthrow of Harold, and all the changes in the form of government effected by the Conqueror, to this celestial phenomenon. The following verses, from an old chronicle published by Labbe, commemorate the superstition of the times :

Sexagenus erat sextus millesimus annus
Cum pereunt Angli stellâ monstrante cometâ.

As well as these two leonine verses :

Anno milleno sexageno quoque seno
Anglorum metæ flammas sensere cometæ.

In the same superstitious spirit this comet is spoken of by Ingulphus, Ordericus Vitalis, the Roman de Rou, and Matthew of Westminster.

This comet was first seen in the west, and travelled towards the south. It is represented in the tapestry as a large star, from the rim of which rays are darting out, which form a bright circle. We observe people attentively looking at it, one of whom is turning away his head : perhaps this was intended to denote the alarm it had created among the great bulk of the people. The inscription is, *Isti mirant stellâ*. Two lines drawn, one above the letter t in mirant, and the other above the letter a in stella, induce us to read *isti mirantur stellam*, they are wondering at the star.

It is difficult to say positively what the next section means. Harold is on the throne, resting on a lance, the crown on his head : he bends his head so as to listen to some one who is speaking to him. The inscription is simply, *Haroldus* ; but as, in the lower border it seems to have been designed to paint the sea covered with small vessels, and as we know that Tosti, Harold's eldest brother, discontented at being refused his share of the inheritance of Godwin, their father, had formed a party with the Norwegians and made a descent on the northern counties of England, there is every probability that Harold was listening to the news of this invasion, an

invasion that compelled him to march precipitately against these enemies, by whom he was detained too long to be able to attack William, when he was landing at Pevensey. Intelligence of the usurpation of the crown of England by Harold soon reached the Duke of Normandy. This circumstance is marked in the tapestry by a vessel on the shore : the anchor is dropped ; the sailors are furling the sails : and one sailor is seen walking over the sand. The inscription is : *Hic navis Anglica venit in terram Willelmi ducis* : Here the English ship comes into the territory of Duke William. If we believe Ordericus Vitalis, it was Tosti himself, the brother of Harold, and the brother in law of William, for he had married the sister of the duke's wife, who persuaded William to cross over to England to claim the crown which had been promised to him, and for the guarantee of which Harold had pledged his oath. The Roman de Rou and the Chronicle of Normandy, give a copious account of several councils held on this occasion, as also of the different expedients to which the duke resorted, to raise an army and supplies among his own subjects and his allies. We shall not here enter into details, not only because William of Poitiers and Ordericus Vitalis take no notice of them, but because also the tapestry passes all at once to the orders which the duke gave to build ships and make all necessary preparations for this expedition. The inscription is : *Hic Willelmus jussit naves edificare* : Here William ordered vessels to be built. He is seated on his throne, his mantle thrown entirely across his shoulders, his arms hanging by his sides : on his left is a man, also wearing a mantle, and seated, in the act of stretching out his hand to an artisan who holds an instrument, which seems to be an axe or hatchet, and issuing the orders of William. He apparently is Robert, earl of Mortaigne, uterine brother of the duke, and also brother of the bishop of Bayeux, who took a very considerable part in the invasion, and whose birth, moreover, gave him great influence at the ducal court. It is most probable that Matilda and her ladies have represented him here as partaking of the anxiety which the duke must have felt in building and provisioning his fleet. At the right hand of William is a man standing up : he wears a mantle : this dress denotes that he was a powerful baron or one of the principal officers of William's army.

(To be concluded in our next.)

SUBJECTION OF THE CHANNEL ISLANDS TO NORMANDY.

BEFORE Charles the Simple ceded Neustria to Rollo, as narrated in the last number of this Magazine, the Channel Islands were under the dominion of the kings of France, who appointed local governors. It is the general opinion that they were granted to Rollo, when he took possession of Neustria, or Normandy, but it does not seem to be well founded, for the extent and boundaries of the grant are expressly limited *by the sea*, and consequently, whatever was not on the continent must have been excluded, according to the strict conditions of the treaty. This scepticism, on our part, applies solely to the *legality* of the transaction ; we think it highly probable that Rollo laid claim to the islands, for what could restrain the ambition of so daring a chieftain, when he had no one to dread but a contemptible opponent ? But as a question of right, we believe that the cession of Neustria did not include Jersey, Guernsey, Alderney, and Sark. We consider the authority of Robert Cœnalis decisive on this point, who declares that these islands were given up to Duke William, the son of Rollo.

Duke William, having attained to the age of majority, was not long before he made the Bretons feel the weight of his sword, and he soon proved himself not inferior to his father in courage and skill. Some authors affirm that Duke William brought the Bretons under complete subjection, but subsequent events prove the contrary. However, this unfortunate prince having some disputes with Arnoul, duke of Flanders, was murdered in 942, in an island on the river Somme, whither he had been treacherously drawn by Arnoul, under the pretext of holding a conference to settle the preliminaries of a treaty of peace.

He was succeeded in the duchy of Normandy, and the possession of these islands, by his infant son Richard. During his minority, some of the Normans, who still adhered to their old system of idolatry, endeavoured to prevail on the young duke to renounce to his vows of baptism, and abolish the Christian creed: they, moreover, made great efforts to create a rebellion, and these malcontents joined another band of those barbarous and predatory nations who had collected together under Setric and Rodard, and committed great ravages in Brittany and Normandy. They were, however, totally defeated the following year by Huguel and the Christian Normans.

These were not the only enemies that Duke Richard had to oppose. Louis, king of France, jealous to see Normandy and these islands separated from his crown, laid a scheme to massacre the young prince and his adherents: but Osmond, the duke's preceptor, having discovered this perfidious design, secretly wrapt him up in a bundle or truss of hay, and carried him out of the town of Laon, where he then was sojourning with the French king. He was kept strictly concealed for twelve months, when his troops gained a complete victory over his enemies and took Louis prisoner, who, as the price of his liberty, was compelled to recognize the legal claims of Richard to the dukedom of Normandy, and accept his homage. Lothaire, who succeeded Louis, no less anxious than his predecessor to recover this province, made several attempts to surprise the duke, but always without success.

In 964, Richard re-established many abbies and priories that had been devastated during his minority, and founded some new ones, among which was the famous abbey of Mount St. Michel, on which occasion he banished to Guernsey many of the Norman ecclesiastics, whose dissolute conduct had brought disgrace on the church and corrupted the morals of the people. This prince made many pious donations, and died in 996, being succeeded by his son Richard.

Duke Richard the Second entered into a war with England, but this was soon terminated by the marriage of his sister Emma with Ethelred. When Sweno, king of Norway, made a descent on the English coast, Ethelred sent his wife Emma, with their two sons, Alfred and Edward, over to Normandy, that they might receive protection from their uncle, and he afterwards joined them himself. This marriage, together with the double alliance which Richard formed with the Duke of Bretagne, caused several years of peace in Normandy, which continued till the death of Maud, daughter of Duke Richard the First, who had been married to Eudon, earl of Blois. She died without issue, which created severe disputes about the succession of her estates, her husband and her brother both claiming the inheritance. Richard, however, finally secured his pretensions.

We may naturally suppose that this duke, who had not been so much harassed by continental wars as his predecessors, did not neglect to improve so essential a part of his dominions as the Channel Islands. He died in 1026, leaving two sons, Richard and Robert, who had a great struggle for the duchy, which was at last decided in favour of Richard, because he was the elder. But he suddenly died two years afterwards, as some suppose, by poison. After this short reign, his brother Robert obtained the dukedom without opposition.

Notwithstanding that this prince was first cousin to the Duke of Brittany, he renewed against him the old quarrel of his ancestors, and in 1032, raised

a considerable army under the pretence of going to England to succour king Edward, his cousin, against the attack of Canute, king of Denmark: but he did not proceed further than the island of Guernsey, where he remained a fortnight, and on his unexpected return, he fell upon the Bretons, of whom he made a great slaughter.

Ancient documents relate that the place where the duke's fleet anchored in Guernsey, was "before a bay to the northward of the Vale," from which it has ever since been called "*La baie de l'Ancrese*," or Anchoring Bay, and it is further narrated that the duke, on his landing, found there a settlement of a great number of monks, who lived in community, to whom the duke confirmed the property of those lands, which they had before taken possession of without the prince's authority. It is also said, that he left two engineers to fortify the island, one named *Barcha des Marescqs*, and the other *John de Jerbourg*, who built the *Château des Marescqs* and that of *Jerbours*, to which they gave their own names: this statement, however, wants authentic confirmation, as those fortifications are usually considered to be of Saxon structure, and consequently more ancient than the time fixed upon for their erection.

We do not deny that the duke gave directions for the proper defence of the island, but on the supposition that there were two such engineers as above named, the great probability is, that their duty was to repair these castles, and put them into effective condition, and not that they originally built them. We further incline to think that, instead of their giving their names to the two castles, they adopted those which the castles bore. This was a very common practice in France, and exists to this day in Guernsey and Jersey, where the owners of estates are called by their names, as frequently as by their baptismal names. We are disposed to believe that the castle of *Jerbours* (now entirely gone to ruins), or rather the peninsula on which it stood, originally derived its name either from *Cæsar's Bourg*, or from *Cherbourg* in Normandy, and that the castle of *Des Marescqs* was so called from its situation, it being erected on a little rocky mount surrounded by marshy ground, called in French, *Marescq*, that is, the Castle in the Marshes.

Soon after the duke's return, he reconciled himself with *Alain*, duke of *Bretagne*, and undertook a journey to the holy land. The Normans strongly objected to this expedition, saying that they would be left without a chief. "By my faith," replied *Robert*, "I will not leave you without a chief. I have a little bastard, who will grow up to manhood, if God pleases: choose him at once, and I will give him seisin of the duchy, as my successor." The Normans acceded to his wishes, because, as the old chronicle says, the arrangement suited them: they swore fealty to the child, and placed their hands between those of the boy in acknowledgment of his superiority. But several chiefs, and particularly the blood relations of the ancient dukes, protested against the election, saying that a bastard was not worthy to command the sons of the Danes and Norwegians. But the friends of the child rallied round him, and, with the assistance of the king of France, defeated the opponents.

Before *Robert* set out for Jerusalem, he appointed *Alain*, duke of *Brittany*, guardian to his son, and regent of Normandy during his minority. The death of the duke happened in 1036, when the future conqueror of England was nine years of age. *Alain* behaved towards him with unshaken kindness and honour, and in quelling many insurrections of the barons who wished, not to disturb the bastard's claim, but to limit the ducal authority, he was at last made prisoner, and confined in a fortress till the year 1039, when he died.

We shall reserve for a future number a biographical sketch of the Conqueror, and shall at present merely notice that in the year 1061, the island of Guernsey being attacked by a strong party of pirates, the inhabitants sent privately an express to the duke, who was then at *Valogne*, to apprize him of their perilous situation, on which he immediately dispatched some of his troops under the command of *Sampson d'Anneville*, an officer of his household,

who landed at St. Sampson's harbour, and, being joined by the monks and such of the inhabitants as had taken refuge in the castle of Mount St. Michel, he attacked the pirates and defeated them with great slaughter, and then burned their ships. In consequence of this victory, Duke William made several gifts of land to Sampson d'Anville, and other persons who had distinguished themselves in this engagement. Some of these donations are proved by unexceptionable deeds, of which we shall give an account when we write on the history of the fiefs of the island.

THE SHIPWRECK AT THE CASKETS.

THIS ballad was composed during the sixteenth century, to commemorate the shipwreck of the children of Henry the First, king of England and duke of Normandy, and as it possesses both an historical and local interest, it may be appropriately inserted in this Magazine.

I.

After our royal king
Had foiled his foes in France,
And spent the pleasant spring
His honour to advance ;

II.

Into fair England he returned
With fame and victory ;
That time the subjects of this land
Received him joyfully.

III.

But at his home return
His children left he still
In France, fur to sojourn
And purchase learned skill :

IV.

Duke William, with his brother dear,
Lord Richard was his name,
Which was the Earl of Chester then,
And thirsted after fame.

V.

The king's fair daughter eke,
The lady Mary bright,
With divers noble peers,
And many a hardy knight.

VI.

All these were left together there,
In pleasures and delight,
When that our king came
After the bloody fight.

VII.

But when fair Flora had
Drawn forth her treasure dry,
And winter cold and sad
With hoary head drew nigh,

VIII.

Those princes all, with one consent,
Prepared all things meet,
To pass the seas for fair England,
Whose sight to them was sweet.

IX.

To England let us hie,
Thus every one did say,
For Christmas draweth nigh ;
No longer let us stay.

X.

But spend the Christmas time
Within our father's court,
Where lady pleasure does attend
With many a princely sport.

XI.

The sailors and the shipmen all,
Through foul excess of wine
Were so disguised that on the sea
They showed themselves like swine.

XII.

The stern no man could guide,
The master sleeping lay,
The sailors all beside
Went reeling every way.

XIII.

So that the ship at random rode
Upon the foaming flood,
Whereby in peril of their lives
The princes always stood.

XIV.

Which made distilling tears
From their fair eyes to fall,
Their hearts were filled with fears,
No help they had at all.

XV.

They wished themselves upon the land
A thousand times and more,
And at the last they came in sight
Of England's pleasant shore.

XVI.

Then every one began
To turn their sighs to smiles,
Their colour pale and wan ;
A cheerful look exiles.

XVII.

The princely lords most lovingly
Their ladies did embrace,
For now in England we shall be,
Quoth they, in little space.

XVIII.

Take comfort then, they said,
Behold the land at last;
Then be no more dismayed,
The worst is gone and past.

XIX.

But while they did this joyful hope
With comfort entertain,
The goodly ship upon a rock
In sunder burst in twain.

XX.

With that a grievous shriek
Among them there was made,
And every one did seek
On something to be staid.

XXI.

But all in vain such help they sought,
The ship so soon did sink,
That in the sea they were constrained
To take their latest drink.

XXII.

There might you see the lords
And ladies for to lie
Amidst the salt sea foam
With many a grievous cry.

XXIII.

Still labouring for life's defence
With stretched arms abroad,
And lifting up their lily hands
For help with one accord.

XXIV.

But as good fortune would,
The sweet young duke did get

Into the cock-boat then,
Where safely he did sit.

XXV.

But when he heard his sister cry,
The king's fair daughter dear,
He turned his boat to take her in,
Whose death did draw so near.

XXVI.

But while he strove to take
His sweet young sister in,
The rest such shift did make
In sea as they did swim,

XXVII.

That to the boat a number got,
So many, as at the last,
The boat, and all that were therein
Were drowned and over-cast.

XXVIII.

Of lords and gentlemen
And ladies of fair face,
Not one escaped then,—
Which was a heavy case.

XXIX.

Three score and ten were drowned in all,
And none escaped death,
But one poor butcher who had swam
Himself quite out of breath.

XXX.

This was most heavy news
Unto our comely king.
Who did all mirth refuse,
This word when they did bring.

XXXI.

For by this means no child he had
His kingdom to succeed,
Whereby his sister's son was king,
As you shall plainly read.

MILITARY GOVERNMENT OF GUERNSEY.

THE governor is not only the chief officer among the military in this island, but he has also the precedence over all other public functionaries, by his representing more immediately the person of his majesty. This important office must have been of very ancient establishment. Mr. Falle alleges that when these islands were subject to the kings of France, the governors were styled *comites et duces*, earls and dukes, and that Loyescon, who commanded at Jersey, in the time of Clothaire and Charibert, A. D. 560, was called Comes; and that Anwarith, who had the same command two hundred years afterwards, in the time of Charlemagne, was called dux, which particulars, that author says, were obtained from documents kept in the Abbey of Fontenelles in Normandy, cited by Du Monstier in his *Neustria Pia*, page 155, wherein it is also specified that, in the time of Charlemagne, Geroaldus, abbot of Fontenelles, was sent to Jersey with an imperial commission, but the subject of it is not stated.

Though it does not appear from Mr. Falle, that any mention is made of Guernsey, yet it is not to be supposed, as Loyescon occupied the post of governor of Jersey in the time of St. Maglorius, who had all the Channel Islands under his spiritual care, but that the same measures were adopted by the kings of France, as to the temporal government of Guernsey, as both islands were equally dependent on France, till they were annexed to Normandy. The dukes of that province, so long as this connection lasted, appointed their own officers, and when Normandy was severed from England, this right devolved on the kings of England, these islands forming the last remaining fragment of the inheritance that descended to them from the Conqueror.

Many princes of the blood held these offices as Dukes of Normandy, the islands being considered part and parcel of that province, the king of England's eldest son having the title of Prince of Normandy, as he now has the title of Prince of Wales. For though king Henry the First annexed these islands to the crown, yet, during the usurped reign of king Stephen, the Earl of Anjou (afterwards king Henry the Second) remained in possession of that province, together with these islands, until he obtained the throne, when he conceded them to John, his son, Earl of Mortaigne, to whom king Richard, his brother, confirmed the same after the death of king Henry the Second.

In all probability, the Earl of Mortaigne kept these islands under his custody even after he was king of England, as no documents mention the name of any other governor till the reign of king Henry the Third, and many authors attest that he came frequently over to the islands, after he was seated on the throne. This prince, as well as his predecessors, had his delegate here resident, to officiate for him during his absence. Raphael de Valmont commanded in this island in the time of the Earl of Anjou, and held assizes, we presume as Bailiff; and Philip D'Aubigny, in the time of the Earl of Mortaigne; for as these princes were lords of the islands, they were also the local legislators, who delegated their authority to their deputies both in civil and military matters. It is not, then, surprising that, under the reign of king Henry the Third, we find the governors styled in their commissions, custodes, and ballivi; custodes, or guardians, being the ancient name generally given to them, and sometimes, captains, till the separation of Guernsey and Jersey into two distinct jurisdictions; since which time they have always been called governors.

Prince Edward, afterwards king Edward the First, succeeded king John in the possession of these islands. We have seen a grant of confirmation of his to William de Chesney of certain prerogatives in Guernsey. When any of the lords of the islands were called abroad, or that his own affairs did not permit him to attend, some other was appointed in his place, and of course vested with proper power, *durante bene placito*, during pleasure and with the right of revocation. Thus, in the time of Otho de Grandison, Henry de Cobham et John de Roches were appointed his lieutenants or deputy governors.

In a court of chief pleas held in Guernsey, Dionysius de Tilbury is therein represented as governor and receiver of the island, and Rodolph de Gand, as bailiff, so that both offices were then occupied by different individuals; from which time may be dated the separation of the military from the civil authority. This took place in the twenty-seventh year of the reign of Edward the First. Among the manuscripts of Mr. William Le Marchant, it is stated that that gentleman "had seen an authentic translation of some rents made in 1428 in Guernsey, under the Duke of Bedford, brother to the king, wherein he is styled Prince and Lord of these islands." We shall now give an instance, in the same reign, when it was otherwise.

Thomas d'Estfield (the gaoler here) had his effects seized for the benefit of the crown, on his absconding from the island, after killing a man who had violently attempted to rescue a prisoner then under his custody. On receiving a report of this transaction, king Edward sent orders to institute an

inquiry into the facts, and it was addressed to *Petrus Le Marchant, tenens locum Domini Ottonis de Grandison in insulâ Guernsey*, to Peter Le Marchant holding the office of Lord Otho de Grandison in the island of Guernsey; and two months afterwards the king, on the receipt of his answer, referred the case to William de Grenesend, his chancellor, by a letter wherein he styles the said Le Marchant "bailiff": consequently he must have discharged the functions both of governor and bailiff at the same time; the former by virtue of the delegation of Otho de Grandison, and the latter in his own right. But this was too great a trust to be confided to any individual, and our sovereigns have ever since separated these offices, as being incompatible with each other: for although in the reign of queen Anne, Sir Edmund Andros, a gentleman of this island, was invested with both commissions, yet, notwithstanding his great interest at court, and the honourable posts he had held as governor of Boston, New York, and Virginia, he was obliged to appoint a lieutenant bailiff to officiate for him and preside on the bench. Neither has the governor, for a long time, had a right to nominate the bailiff, dean, or the procureur and contrôle, for Charles the Second found it desirable to deprive them of this high prerogative, and reserve these elections for the crown, for which object he formally consulted the lords of the privy council who, amongst other reasons, declared that the bailiff, in some cases, ought to act as a check on the governor.

Before any act of the governor's authority can be put into execution in the islands, his commission must be first produced before the royal court. If he should be absent, a certificate of his having taken the oath of office must be produced, with a dispensation from the king to excuse his personal attendance, after which the commission is entered on our records. The obligation of this oath is not only to keep the island and castles under subjection to the king of England, and to uphold the royal prerogative, but also, to maintain the privileges and ancient customs granted by our crowned heads to the inhabitants, as well as to observe the ordinances of the court.

The governor's greatest authority is over the officers and soldiers in the garrison, he having supreme military command over them, together with the right of punishing any offence they may commit, according to the rules prescribed by the articles of war; but this only applies to breaches of military discipline. The crown has reserved the punishment of capital crimes, assault, &c. to the civil magistrates, as well as every other case wherein any inhabitant is concerned, there being no court martial ever allowed here except between soldier and soldier for military disobedience. If a soldier, living and dwelling in Castle Cornet, as they did formerly, of course under the immediate charge of the governor, offended against the course of justice, as established in the island, the bailiff and jurats had always a right to demand that man from the governor, and, if he refused to deliver him up, they, in that case, had recourse to the board of ordnance for redress, though it was required that forty days must elapse, allowing that time for amicable adjustment.

Some of our governors formerly have been authorized by their patents to appoint officers and soldiers, and to regulate the amount of their pay.

Formerly, in the time of war, when additional troops were sent over from England for the defence of the island, and they could not all be conveniently lodged in Castle Cornet, it was customary for the inhabitants to provide quarters for the remainder at the public charge of the island: though, in the reign of king James the First, when some additional companies were ordered here, the king in council, anxious not to press hard on the natives, sent an order to the bailiff and magistrates to "take care that those soldiers committed no disorder, and that they paid for their quarters duly."

As to the officers, they have, time out of mind, provided themselves with their own lodgings, notwithstanding several attempts made from time to time to charge the expense on the inhabitants; and at even a comparatively recent date many applications have been made for that purpose, but the government, sensible that it would be infringing on our privileges, granted them a commutation out of the exchequer.

The governor having by his patent the command of Guernsey and all the forts and forces within its limit, exercised in very early times great authority over the insular militia, but it did not extend to Alderney, which island, about 1663, was granted by the crown, on a lease of ninety-nine years, to Sir Edmund Andros, and afterwards came into the possession of John Le Mesurier, Esq., who subsequently made it over to the crown for an annuity, after which the governor of Guernsey had the superintendence of the militia there. The governor appoints commissioned officers in the militia of the bailiwick, and has the regulation of the whole, ordering them at pleasure to turn out, either by regiments or companies, as he judges it to be expedient for the discipline of the men. This power is exercised with great moderation in time of peace, and a field day is looked to rather as a holiday than one of toil. Some few grumble, but it is rather out of the love of disputation than from any real grievance. The Guernsey militia are a very efficient body: the artillery are admirable marksmen, and have challenged and beat the artillery of the line stationed in the garrison. Indeed, the late Sir John Doyle, when governor, wrote to the government that he would undertake to defend the island against any attack of the French with the local militia alone, unaided by British troops; and though this be a highly flattering compliment, many other experienced officers have assented to its truth.

Guernsey, being left without any regular troops in 1719, the Lieutenant-governor, *with the sanction of the royal court*, ordered the militia to perform in turn the duties of the others, both in Castle Cornet and in the island, which continued for about three months, when some invalids were sent from England to relieve them. Our constant watches round the island, in time of war, are also under the governor's directions, as well as the reparation of the batteries and forts, when he thinks they require it; but he has no right to order any new fortification to be erected, without first consulting the bailiff and jurats, and receiving the command or sanction of his majesty in council.

Notwithstanding the several prerogatives of the governor touching the insular militia, he cannot punish any of them for neglect of duty, disobedience, or any other fault, being expressly forbidden by several orders in council not to imprison any one. If a militiaman misbehaves, his officers report him to the procureur, who brings him before the royal court, who then judge whether he is guilty or innocent, and act accordingly.

The states of this island cannot duly be assembled unless the governor is previously apprized of their intention. The reason of this is very evident. The states, composed of the magistrates, clergy, and constables, are presumed to represent all the inhabitants, and the governor, as representative of his majesty, has a right to be present, in case he should have any thing to communicate for the good of his majesty's service, or for the safety and improvement of the island, and thus give the whole meeting an opportunity of deliberating upon it; moreover, his attendance is also needed to see that nothing be done contrary to the royal prerogative. For similar reasons, the governor has a right to meet our court at the chief pleas, which are held three times in every year, that the free tenants may do homage to the king, represented on these occasions by the royal court, as also for the enactment of ordinances, as they may be demanded for the better government of the island.

It is a general notion among us that the governors, without distinction, were anciently at the charge of paying both the lieutenant-governor and the garrison, but this notion is incorrect, and the error arises from not considering the different manner in which that post was occupied. They who held it as lords of the islands, either by appanage or in fee farm from the crown, received all the public revenues, and consequently it was only just and reasonable that they should defray the official expenditure: but they who held the office merely as governors, representing the crown, and receiving a salary, could never have afforded to support the garrison. This distinction is too obvious to require further illustration.

By an extent of the revenues of the crown in Guernsey and its dependencies, drawn up in the second year of the reign of king Edward the First, it amounted to nine hundred livres tournois, Guernsey being rated at seven hundred and sixty-five; Serk at eighty; and Alderney at fifty-five, and under the reign of king Edward the Third, the governor's salary was computed at two hundred livres; four deniers being at that time equivalent to one penny sterling. The king had also a constable to guard Castle Cornet, who, in time of war, received two sols per diem, and in time of peace only sixteen deniers. And this appears from the following extract from the old record:

De Ministris et Officiariis Castri Dominus Rex habet ibidem et habere consuevit unum Constabularium qui percipit per diem tempore pacis xvi deniers tournois monete, unde quatuor valent unum Estling: et tempore metus guerre 2 sols tournois ejusdem monete. These words seem further to imply, that this constable was both appointed and paid by the king, and not by the governor. The constable's chief command appears, by a fragment preserved in the records of the Tower of London, to have been limited to the precincts of Castle Cornet, though many persons have thought that he also acted in the capacity of lieutenant-governor.

Notwithstanding the above estimate of the salary of these officers, it cannot be looked at as a fixed and invariable sum, as it depended entirely on the king's pleasure to allow more or less to one or to the other, according to their merit, or the esteem he might entertain for them, of which many instances might be adduced; and even when the governor nominated his own lieutenant, he no doubt made his own private bargain with him, as to the amount of his salary. Of course, the price of provisions in those ancient days was very different from what it is now, as is proved by the above-named extents of Edward the Third. For example, a quarter of wheat was then valued at six sols; the rents for 1835 were fixed by the court at eight livres fifteen sols; and in 1800 and 1812, were as high as twenty-eight livres. A couple of fowls, which now cost on an average three shillings, are computed in the extent to be worth one hundred eggs, and we shall show in our next number, in an article "On the Rise and Progress of Religious Establishments in Guernsey," that one hundred eggs were formerly worth a trifle more than sixteen sols. Now, as fourteen sols equal one modern penny, a couple of fowls could have been purchased at a fraction beyond that sum; from which we may infer, that a penny in the reign of Edward the Third, in Guernsey, would purchase as much provision as three shillings can now command in 1836.

From the reign of king Henry the Seventh, the islands of Guernsey and Jersey have been separated into two distinct governments, from which time the governors have in general enjoyed the whole revenue of the crown, each in his respective island, but they maintained the garrison till the reign of king Charles the Second, when the castles were put under the direction of the board of ordnance, and the governors exempted from that expense. Lord Hatton was the last governor of Guernsey, whose patent authorized him to appoint the officers and pay them and the troops; though it is true that some later commissions contain the same privilege. This, however, was never acted upon since his time, and the insertion of this right appears to be an error of the clerks, who, proceeding after the old routine, modelled the later commissions on the old ones.

As the governors formerly resided in the island, there was but seldom any need for a lieutenant-governor, unless when he was obliged to be absent, in which case he appointed a deputy at his own expense. The governor dwelt mostly in Castle Cornet, in which a spacious building was erected for his accommodation, but after the fatal accident that befel it, when Lord Hatton and his family were blown up, they have had a residence on terra firma. Since that period also the governors have been non-resident, and the acting military chief has been the lieutenant-governor.

But after non-residence was permitted, the governor still enjoyed all the

king's prerogatives in the island and dependencies, and the office dwindled down into a mere sinecure. He enjoyed the rents, quit rents, tithes, and champarts, together with several other emoluments, such as the poulage and treizième, but he was obliged to allow a certain proportion of tithes to the rectors of the parishes. The governor used formerly to provide a court house for the administration of justice, and also a prison, in consideration of which he was entitled to all escheats, forfeitures, and fines. This aggregate revenue was collected by an agent, called the king's receiver, who either was paid by a salary, or farmed it at a stipulated sum.

A question has been started among many persons, whether the lieutenant-governor was in strictness bound to execute the orders of a governor who did not reside in the island. They, who insist on the affirmative, maintain that the lieutenant-governor, being held by his commission to obey his superiors, is consequently obliged to follow such directions as he may receive from the governor. Those who hold the negative, contend that a governor absent has no direct authority over a governor present, unless he is specially empowered by an order from his majesty in council, who is the only superior, as these parties affirm, implied by the wording of the commission. On this difference of opinion we offer the following remarks.

At the time when the lieutenant-governor was appointed and paid by the governor, he derived his whole authority from him, and acted merely as his agent, or at most as deputy-governor, and, when so circumstanced, no doubt he was obliged to follow the orders of his constituent: but when, at a subsequent date, the lieutenant-governor held his commission directly from the king and received his salary from the exchequer, he became rather the king's lieutenant than the governor's, being vested with the same authority as the governor, and representing *virtute officii* his majesty's person in the island, quite independently of the governor. The chief rule he had to observe was to fulfil the conditions of his oath of office, which made him personally and directly responsible to the king, and if he violated it, he could not plead the orders of the governor in his defence, the governor himself being subordinate to his majesty. The lieutenant-governor of this island is, in fact, upon the same footing and establishment as many local governors of forts and castles in England, and receives a salary direct from the crown. The governor, for a long time, was a mere sinecurist, merely pocketing the money of the islanders, and rendering no equivalent. This office is now abolished, the late Sir William Keppel being the last who held it.

It may be noticed, that in former times the governors and their lieutenants received some small perquisites from Herm, Jethou, and Lihou, which were then warrens appendant to the king's demesne. All three of them were stocked with rabbits, and Herm had a few deer and some red-legged partridges. He also was supplied with fish from a large pond, called the "King's Pond," which was about two miles in circumference, and swarmed with carp, eels, and other fish. These were alienated from the crown and let on perpetual leases, renewable on paying a fine certain every twenty years, when Major-General Sutton was governor.

INSPECTION OF GUERNSEY GAOL.

BEFORE making any remarks on the recent visit of Mr. Bisset Hawkins, to Guernsey, for the purpose of inspecting the gaol, it will be interesting to our readers to peruse a brief historical notice of the origin and progress of our local prisons.

Many controversies have arisen at different times between our governors and the royal court, concerning the right, claimed by the inhabitants, of having a prison in Castle Cornet, both in civil and criminal cases. By king John's constitutions it was not allowed to imprison any person in the castle,

except for a crime that deserved corporal punishment. Debtors were sent to other prisons appointed for their reception, the distinction of which was left to the judgment of twelve jurats, as the following extract proves: *Quod nullus debet imprisonari in Castro, nisi in casu criminali vitam et membrum tangente, et hoc per judicium duodecim coronatorum Juratorum, sed in aliis liberis prisonis ad hoc deputatis.*

Before the foundation of Castle Cornet, no doubt but there were prisons in the island, both for the punishment of civil and criminal cases. By the extent of king Henry the Third, successor to king John, six portions of land had been appropriated for that purpose in the following proportions: three to the prior of St. Leufroy; one to William Rohais; and two others to the lord of the fief d'Anneville; and each of them was bound by his tenure to keep all prisoners in safe custody within his jurisdiction. We subjoin the original, as we desire, as much as possible, to make this Magazine a record of our history, to which future reference may be made. *In eadem insula sunt sex carucatæ terræ quarum prior Sancti Leufridi tenet tres carucas: Willelmus Rohais, unam carucatam; et in feuda de Anneville sunt duæ carucatæ quæ debent et solent ad turnum suum et secundum tenuras prisonas custodire.* After which it is added: *Sed tempore illo non fuerunt castella in Insulis:* But in that time there were no castles in the islands.

We have stated above, purposely in *vague* language, that "six portions of land had been appropriated for that purpose." We will now be more definite. The Latin expression is "*carucata terræ.*" There has been much controversy among the feudal writers as to the signification of the words, "a knight's fee, a hide, a plough-land, a yard-land, and an oxgang," some holding that these words denoted a specific number of acres. But Lord Coke has very clearly shown that each of these words applies to the quality, and not to the quantity of land; to its value, and not to its content. Those who are curious on the subject of the estates of knights, barons, earls, and dukes, are referred to the article on the "Reform of the House of Lords," published in the third number of this Magazine. *Carucata terræ* is rendered by Coke, a "plough-land," which he says was the same as a "hide of land," and he explains it to be "as much as one plough can, by a course of husbandry, plough in one year."* We thus see the value of the "portions of land" which were granted formerly in this island to defray the expense of the prisons.

The words, "but in that time there were no castles in the islands," must be limited in their construction, for they only allude to Castle Cornet, or any castle fit to keep prisoners in, as the castle of Mount St. Michel, in the Vale parish, was certainly then in existence, and that of Des Marescqs, near the town, must have been erected long before the time of William the Conqueror, as well as many other small ones round the coast.

In the reign of king John, the court were empowered to commit prisoners to Castle Cornet in criminal cases, and as this fortress became more spacious by the additional works made to it from reign to reign, it is probable that a prison for civil offences was constructed, either by the crown, or perhaps at the expense of those who by their tenure, as already shown, were obliged to keep prisoners in safe custody. The inhabitants in general largely contributed towards the erection of Castle Cornet formerly, as they do to this day in maintaining the bulwarks round the island, and barriers against the encroachments of the sea. It was in consideration of these and other services, that the Earl of Anjou exempted them from all foreign taxes, which was urged as a strong argument against the military, when they insisted on making the castle a pure garrison, quite independent of the civil power, notwithstanding the authority given by all our ancient sovereigns to the court to inspect it, and see that at all times it was well stored with arms and provisions.

By the extent of the revenues of the crown in Guernsey, drawn up in the fifth year of the reign of king Edward the Third, the gaoler, or as he was

* First Institute, page 211, Edition, Thomas.

more politely called the "Portier du Château," was paid by the king at the rate of twelve deniers per diem. He also received a small proportion of wine and salt from strangers, who came loaded with them, and also of earthenware and canvass.

As population increased, the cells in Castle Cornet became insufficient to lodge the prisoners. They were, moreover, close and unhealthy. The necessity of a new establishment forced itself at length on public opinion, and after many endeavours, and great disputes between the town and country parishes, as to the mode of meeting the required expenditure, the states succeeded in obtaining the consent of the town to the construction of the present prison, and to the payment of the cost by a general tax, for which purpose an order in council was soon obtained. It was erected in 1811, at a charge of eleven thousand pounds. The repairs of the building, and the maintenance of all prisoners, except those confined for debt, are defrayed by the crown: this however is with some limitation, and was so decided by the royal court, in 1823, in a cause between his majesty's receiver and the constables of St. Peter's Port. The rule laid down on that occasion was the following. The receiver is not liable for the maintenance of such prisoners as are lodged in prison by the constables for trial, but only of those who have been tried and committed by a judicial sentence.

This prison was originally calculated to accommodate nineteen prisoners in separate cells; to wit, two for women, five for debtors, eight for felons, and four lock-up cells for the use of the constables, to contain prisoners previously to examination. There is a black hole, which is in the same form as the other cells for felons, but painted black, and light is excluded: air is admitted by a tube. There is one spacious yard, where debtors are allowed to walk. The felons have access to an open gallery, in which they take their exercise: the premises are particularly clean and airy. There are no day rooms. The cells for the felons are nine feet by seven: for the debtors, sixteen by nine: the cells are washed once a week, and white-washed yearly. From the cells the prisoners cannot see each other; but by loud talking they can hear one another. They sleep on straw palliasses, and wooden bedsteads. Each prisoner has three blankets and a counterpane in summer, and an extra allowance in winter, which are washed and aired once a month: the debtors hire beds, if they wish, as they are only allowed straw and blankets at the expense of the arresting creditor; in winter and summer the debtors are unlocked from eight till sunset: the felons have the same indulgence from ten till two. The jurors of the royal court are required, by an ordinance, to visit the prison by rotation, quarterly. There is a resident keeper, but no turnkeys. Corporal punishment is not inflicted.

We are indebted to Mrs. Fry, a lady more eminent for her zeal than her discretion, for the visit of Mr. Bisset Hawkins, who has recently inspected the prison. It might have been supposed that we possess a sufficient guarantee for the proper management of the gaol, in the constant superintendence of our jurors, who, at least in our judgment, must be better able to frame regulations adapted to our locality, than a stranger to our customs and habits. To model our prison on the system of a county gaol in England is preposterous; yet such seems to be the wish of Mr. Hawkins. He has, however, hinted at some changes which would be beneficial, and recommended others of which we totally disapprove.

In the first place, he objected to felons being permitted to see their friends from ten till two, unless in the presence of the keeper. It certainly does appear to us that this indulgence ought to be discontinued, for it is the total absence of all social intercourse which renders punishment dreadful: but if felons are permitted to receive visits four hours daily, and thus obtain that sympathy which alleviates their mental anguish, it is to be feared that very little impression is made on their minds. The infliction of punishment at all, is an evil, but it is an unavoidable one: it contemplates the reformation of the criminal himself, and should be so administered as to deter others from the commission of crime. When, therefore, sentence is once awarded,

it ought to be carried into effect with a sufficient degree of severity to produce repentance in the individual, and dread among the rest of the community: but we apprehend that both these objects are defeated by allowing a felon four hours daily intercourse with his associates.

Mr. Bisset Hawkins next objected to the prisoners being allowed to purchase wine, spirits, and tobacco. In this we coincide, for all these articles are luxuries; and a man who has violated the law, ought to be limited to the bare necessities of life. It is a morbid benevolence which so far sympathizes with a felon. We recollect well the case of Fauntleroy. Before his conviction, all London was indignant against this accomplished swindler, who, under the garb of what is ycleped "respectability," robbed hundreds of families of their property, a practice still pursued by many other rascals, who, on the strength of holding some public office, which may contain a nest of villains, insult public justice, and laugh in their sleeves at jurymen, reluctant to believe, that "a gentleman of large floating capital" can be any thing but "quite respectable." But when the judge sentenced Fauntleroy to death, and thus converted into *fact* what was before *probability*, pious ladies flooded cambric handkerchiefs with salt tears, and Newgate was besieged with porters deputed by mistaken humanity to carry hot pigeon pies and nice jellies to a vagabond, who had treated his wife like a brute, and supported his libertinism by systematic forgery. What great hardship does a felon sustain, by being deprived, for instance, of tobacco? Is not an honest sailor, whose sea stock has been exhausted by a long voyage, obliged to submit to a similar privation? Are not soldiers, in campaign, often reduced to short commons? Why then should we feel so much commiseration for a man who has violated the law? If he had the necessities of life and decent comfort, what claim has he on justice to be regaled with luxuries?

Mr. Hawkins next objected to the men and women being confined under the same roof, and suggested the building of a wall across the southern part of the yard, where five or six cells, exclusively for women, might be easily erected, and where also a wash-house could be built. We approve of these suggestions, but they have been for some time urged on the attention of the jurats, when inspecting the prison, by the present keeper. On the 8th April, 1835, as appears by the inspector's book, he advised the separation of the men from the women; and on the 6th October, 1835, he represented to the jurats that he felt the greatest inconvenience from the want of a wash-house. For the sake of cleanliness and decency, this last addition ought forthwith to be commenced.

It would also be highly desirable that a well should be sunk within the walls, as at present there is only a tank of rain water, which is certainly large enough, but in warm summers the water is flat and unpalatable. Such prisoners, however, as are sentenced to bread and water, always receive toast in water, as a more grateful beverage.

Mr. Hawkins also was displeased that there was not a sick ward. He regretted further that there was not a chapel, and a chaplain. Certainly there ought to be regular religious instruction within the walls, and since the States voted a large sum of money to build a new church at the Bonet, where it is not wanted, they cannot object to make a further grant for so useful an object as the reformation of criminals. We would also suggest that some portion of the charitable spirit which is poured down so bounteously on the negro and the inhabitant of the South Sea Islands, should descend among our own population, that it may not be said of us, as Pliny said of his countrymen: *Proximorum incuriosi, longinqua sectantes*: Heedless of what is near, we pursue that which is afar.

Mr. Hawkins further objected at the want of classification among the prisoners, the convicted felons being now able to communicate with persons unconvicted, who are lodged in prison preparatory to trial, but who may be innocent. This ought to be remedied, especially among youths, who may learn more vice in a day's conversation with an old offender, than they would pick up in years, if not thrown into an immediate contact with callous transgressors of the law.

It is the practice in county gaols in England to supply the prisoners with food: our plan is to allow each prisoner nine pence per day, which he spends as he pleases. Mr. Hawkins desires to introduce the English plan into Guernsey: to this change we object. If you feed the felons, and when their term of imprisonment is over, turn them out on the world without a farthing in their pockets; since they cannot starve, they will have recourse to their old practices, unless they can immediately obtain work. But if you allow them nine pence per diem, and admonish them to live sparingly, and save some of this gratuity, then they can leave the gaol at least with some pecuniary protection. You, moreover, sow the seeds of future economy. It is a fact, which we can state on the best authority, that many prisoners in Guernsey have adopted this advice. One man saved as much as bought a shirt and a pair of shoes, and many have left with several shillings in their possession. Our mode produces the best possible effect on the drunkard, for it is observed that, in the great majority of cases, prisoners addicted to intoxication have abstained from liquor, the motive to saving conquering the propensity to drink: but this has chiefly happened among Guernsey-men, for coarse John Bull has little prudence or moral restraint.

The returns taken by Mr. Hawkins to London of the state of the prison for the last three years were as follow:—

	Committed.		Police Prisoners released.		Debtors.		Total.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
1833	87	7	129	14	17	0	233	21
1834	89	20	157	33	11	1	257	32
1835	71	8	92	24	13	1	176	33

In concluding these remarks, we venture to hope that our authorities will resist every attempt at the introduction of the county gaol system into Guernsey. Mr. Hawkins examined every department of the prison most minutely, and made no other objections but those we have reported. He found the bedding clean and wholesome, and to most practical purposes every thing was efficient. Whatever changes are required, let them be introduced by the jurats, for we have had sufficient experience in the loss of nearly all our ancient rights and privileges, granted by our kings, and confirmed by numerous charters, of the encroaching character of the government. Surely we can manage our own local affairs without the meddling interference of Mrs. Fry and her co-adjutors. We can appeal to the happiness of our small community in proof of the soundness of our institutions, and their beneficial tendency. Let these itinerant philanthropists domiciliate themselves in Ireland, and civilize "the finest peasantry in the universe." There they will find "ample room and verge enough" for their labours; but we want them not in the Channel Islands.

IMPORTS AND EXPORTS OF WINES IN GUERNSEY, FOR SEVEN YEARS, 1835 INCLUSIVE.

Year.	Imported.	Exported.	Imports above Exports.
	Gallons.	Gallons.	Gallons.
1829	159,957	103,887	56,070
1830	131,807	77,999	53,808
1831	72,344	38,973	33,371
1832	117,849	54,838	63,011
1833	264,201	112,500	151,701
1834	352,736	207,023	145,713
1835	114,354	71,726	42,628
TOTAL.	1,213,248	666,946	546,302

Average per year, 78,043 gallons, equal to 619 pipes.

A duty of £2 per pipe on all wines would thus have produced, during the last seven years, an average income of £1,238 a year. The least production of those years would have yielded an income of £556, and the highest £2,528.

This financial table has been forwarded to us by a gentleman, on whose accuracy the public may implicitly depend. The attention of the writer was drawn to this subject by reading the article on the "Billet d'Etat" published in the last number of this Magazine, in which, *inter alia*, we noticed the remark of Mr. Guille, the lieutenant-bailiff, who stated that an *impôt* on wine would yield an income of not more than from £300 to £400 per annum. The document furnished to us is intended as a refutation of that statement.

We incline to think that our correspondent has drawn an incorrect inference from just premises, for we do not clearly see that the excess of imports over exports would necessarily be the amount on which the duty could be levied. To explain ourselves more clearly, let us take the case of a wine merchant who in any given year imports, say, fifty pipes of wine, and in the same year exports ten pipes. He would then have an excess of imports over exports, at the end of that year, of forty pipes. Now, it by no means follows that these forty pipes would be consumed in the island. The merchant might have imported them, when new, for the purpose of holding them in store for several years, that they might be well matured, and after having brought them to perfection, every one of these forty pipes might ultimately be exported. If this view of the subject be correct, then there is an evident fallacy in the reasoning of our correspondent.

The true point to be established is, What is the actual consumption of wine in the island for any one year, or any term of years? for the tax would only ride over the quantity consumed. Now, we have shown that this cannot be ascertained simply by striking the difference between the imports and exports; supposing then that the States were to sanction any such *impôt*, it would be necessary to appoint inspectors to keep weekly or monthly accounts with every wine merchant; for how else could the authorities know the amount of export, the amount sold in the island, and the amount of the stock on hand, imported expressly for the purpose of being matured, previously to some future exportation. Every one knows that Port wine ought to be two years in wood and four years in bottle before it is drunk: suppose a merchant to import twenty pipes, is he to pay the duty of £2 per pipe, or forty pounds, and be out of his interest and capital for six or seven years?

We still retain our former opinion, that any tax on wine would be impolitic, as it would lead to a system of excise and espionage, and invade the legitimate privacies of mercantile operations. If, however, we have mistaken the true bearings of the question, we will readily insert a refutation in our next number, as our sole object is the elucidation of truth by facts and arguments.

GUERNSEY NEWSPAPERS.

Our last number contained a brief review of the former and present mode of communication between the Channel Islands and England, and a similar sketch of the newspapers published in Guernsey will, doubtless, prove equally interesting.

The first newspaper printed here appeared in 1789, under the title of *Gazette de l'Île de Guernesey*; it was published every Saturday, in French, and its size was that of a small sheet of letter paper. In 1791, its publication was discontinued for a short time, but it re-appeared in 1792, under the same title. We have a number before us of the 25th February, 1792, which is chiefly filled with extracts from the Paris journals, and con-

tains only seven advertisements, the last in English, with a French translation, and the former is subjoined as a contrast to the charges of a school in England at the present day.

AT J. CROUCH'S SCHOOL, SWATHLING,

YOUNG GENTLEMEN are Boarded and Educated in Reading, Writing, and Arithmetic, (Washing included,) at £13 12s. per annum. Entrance, £1 1s. Merchants' Accounts, (completing in), One Guinea. Geometry and Stereometry, per quarter extra, 10s. 6d. Short-hand Writing, (the whole) One Guinea. Pupils remaining at School during the Vacations, One Guinea each time.

N. B.—Swathling is a pleasant healthy village, distant from Southampton three miles.

In 1800, scarcely two hundred and fifty copies of the *Gazette* were printed, although it was the only newspaper published in the island. In 1802, its size was nearly doubled, and it is now exactly four times its original dimensions, exclusive of a great improvement in the paper, type, and intelligence. In 1803, about five hundred copies were printed; in 1806, seven hundred copies; in 1812, nearly nine hundred copies; and from 1820 to 1830, the number of its subscribers was from eleven to twelve hundred, but it is now at least fourteen hundred. It has always been and is still published weekly, on a Saturday, and under nearly the same title, its present one being *Gazette de Guernesey*, while the annual subscription is only four shillings.

In 1806, another newspaper, in French, the *Mercur de Guernesey*, appeared, as have since that period *Le Publiciste*, *Le Miroir Politique*, and *L'Indépendance*; the two first were merged into the last four or five years ago, but in October, 1835, *L'Indépendance* ceased also to exist, and the *Gazette* is now the only newspaper in French.

The first newspaper in English appeared in 1803, under the title of the *Guernsey Evening Post*, but it was discontinued in a few months. In 1813, *The Star* was published weekly, and although much smaller than at present, its price was 2½d. in single copies. Since that time the *Globe*, *British Press*, *Telegraph*, and *Sarnian Journal*, have been attempted and failed. In 1830, *The Star* commenced issuing two numbers weekly—on Monday and Thursday evenings—and now three newspapers are published in English on those days, *The Star*, *Comet*, and *Channel Islands' Gazette*. The *Comet* appeared first in 1828, but was then published only once a week, and *The Channel Islands' Gazette* in 1835. Their annual subscriptions are as follow: *Star*, sixteen shillings; *Comet*, fourteen shillings; and *The Channel Islands' Gazette*, twenty shillings, owing to its immense size. It may be remarked that there is no stamp or other duty on newspapers in the Channel Islands. These journals do great credit to the publishers, and when it is remembered that this island did not boast of a single newspaper less than fifty years ago, no better proof can be adduced of the wonderful advance which Guernsey has made in civilization within the present century.

MEMOIR OF THE LATE COLONEL WILLIAM LE MESURIER TUPPER,

BRITISH AUXILIARY LEGION, IN SPAIN.

THIS gallant officer, the fourth and youngest surviving son of the late Daniel Tupper, Esq., of Hauteville, in this island, entered the British army, by purchase, as a second lieutenant in the 23d, or Royal Welsh Fusiliers, on the 4th September, 1823, and on the 1st August, 1826, obtained an unattached company, also by purchase, being re-appointed immediately to the 23d, by paying the difference. He spent the nine succeeding years chiefly with his regiment, in garrison at Gibraltar, accompanying it in the expedition to Portugal in 1827, under Sir William Clinton. Early in 1835, Captain Tupper, whose reckless feats of daring will long be remembered at Gibraltar, returned with the 23d to England, and soon after an order in council was issued, permitting and encouraging British subjects to enter the service of the young queen of Spain, whose government had been unable to sup-

press an insurrection in favor of her uncle, Don Carlos, in the northern provinces. Disappointed in his wish of purchasing an unattached majority, as there was no early prospect of his obtaining one in the 23d, and tired of the inactivity of a garrison life, Captain Tupper was induced, in conjunction with many other British officers, to exchange on half-pay, and to accept of promotion in the British Auxiliary Legion, then raising, to be composed of ten thousand men, and commanded by Lieutenant-Colonel Evans, M. P. for Westminster, with the rank of lieutenant-general. Disinterested almost to a fault, and possessed of an independent private fortune, Captain Tupper could have no other motive in joining the legion than that of seeing service and of acquiring distinction at the head of a regiment.

Lieutenant-Colonel Tupper was at once appointed to command the 6th, or Scotch Grenadiers, which regiment was raised in Glasgow, and whence he proceeded, in August, with the first division of nearly four hundred men, in a large steamer to Santander, touching at Falmouth for coals and water. From Santander he was almost immediately detached to Portugalete, a small town at the mouth of the river leading to Bilbao, and which was then threatened by the Carlists. Here he animated his young troops by his conduct and example, exposing himself on every occasion with the utmost fearlessness. Bilbao itself being at this time closely invested by the insurgents, the 6th accompanied the greater part of the legion thither, Lieutenant-General Evans having been urgently requested by the governor of that important town to effect its relief. A few days after their arrival, a division of the queen's Spanish troops left Bilbao to join the army of the Ebro, under General Cordova, and, being attacked by the enemy, double their number, under Don Carlos in person, were compelled to return in the greatest disorder. The Carlists pursued them close to the town, and passing a bridge, menaced the garrison, when the 3d and 6th regiments of the legion advanced in column, drove the enemy back across the bridge, and successfully terminated the affair.

Having covered the construction of some new works round Bilbao, the British Legion marched from that town on the 30th October, for the purpose also of joining the army under General Cordova. The Carlists in force endeavoured to prevent this junction, but it was effected at Briviesca on the 8th November, after many long-circuitous marches, during which the stragglers were taken and shot without mercy. The legion arrived at Vittoria early in December, and remained there, or in the vicinity, during the late rigorous winter, hundreds, as is well known, falling victims to an epidemic fever arising from every possible privation. In January, the legion co-operated, as a detached corps, with the Spanish army in an attack on the Carlists in the neighbouring mountains, but after a trifling engagement and a bivouac of three frosty nights, mercilessly cold, the British returned to Vittoria, the allies under General Cordova having previously sustained some check, and retreated.

In the spring, the town of St. Sebastian was vigorously blockaded by the Carlists, who had been for some months employed in fortifying the adjoining heights, and the legion was detached to its relief. The health of Brigadier-General Reid, who commanded the light brigade, consisting of the rifles, 3d, and 6th regiments, having suffered from fever, he was succeeded by Colonel Tupper, who left Vittoria for Santander on the 12th April, in command of the brigade, the other brigades, with General Evans, following on the succeeding days. The light brigade arrived at St. Sebastian on the 22d April, and the British were received there with every demonstration of joy. The following is an extract from a long private letter, published in the *Courier* of the 9th May :

"*St. Sebastian, April 29.*—Lieutenant-Colonel Tupper, of the 6th regiment, from the high state of discipline of his corps, has been promoted to the rank of colonel; he commands, *ad interim*, the light brigade, two thousand strong, composed of the finest and most efficient men in the legion. Much is expected from the *en avant*, dashing character of this officer. Before the expiration of a week a

blow will be struck. Notwithstanding the strength of the enemy's lines, and the difficult nature of the country, I have no fears as to the result."

Brigadier-General Reid, however, reached St. Sebastian and resumed the command of the light brigade before any attempt was made to dislodge the Carlists from their triple line of defences near that town. The greater part of the legion having arrived, General Evans decided to attack at daybreak on the 5th May, and the three brigades marched out in silence during the night for that purpose. To the light brigade was assigned the assault of the enemy's right and centre. From want of space, the notice of the deadly combat which ensued must necessarily be limited chiefly to the part taken in it by the Scotch grenadiers. The first line was carried, but the second presented such formidable obstacles, and was so obstinately defended, that the three brigades were every where repulsed with great slaughter, particularly of officers. On this sanguinary day, the 6th, having already suffered severely from the fire of a battery of three guns, moved along a high road, hoping to break the centre of the enemy's line; they advanced about fifty yards *à pas de charge*, but, on reaching an angle, were assailed by a dreadful fire of musketry from a wall built across the road and from two large houses with five tiers of loop-holes, which flanked the parapet on either side. Colonel Tupper, who now had his left shoulder shattered by a bullet, and his gallant major, Ross,* urged the men to make one dash, but they recoiled with horror from the walls of living fire, and retreated to the shelter they had just left, where they were rallied and reformed. A breach was at length effected in a redoubt to the left, by shells thrown from the *Phoenix* steamer; and two regiments, the 4th and 9th of the legion, having most opportunely arrived, during the battle, from Santander, they were instantly landed and led to the attack of the breach, which they carried, the leading company being commanded by the truly gallant Captain John Allez, a native of Guernsey, who fell covered with wounds. While this attack on the enemy's left was in progress, Colonel Tupper sprang forward, and headed his regiment in an assault of the entrenchments on the right. Advancing under a heavy fire he received another wound in the left arm and a severe contusion in the side, but he pushed on, sword in hand, until a bullet pierced his *schako*, and entering the right temple, lodged in the brain. Another bullet had previously perforated his *schako* near the top. Thus the presentiment, which he had long entertained that he should fall in the first serious affair, was unhappily accomplished, and thus the wish which he had often expressed of dying in battle was too fatally realized. He appears to have commanded the brigade in the last attack, Brigadier-General Reid having been previously wounded, and his regiment had nine officers and about a hundred men killed and wounded.

When it was known in Guernsey that the British Legion had attacked and carried the Carlist lines after a severe loss, the general impression was that Colonel Tupper had fallen, so responsive was the prediction mentioned in the *Times*,—a prediction emanating from his well known daring and devotion. When the prediction was verified, but one feeling of sympathy and regret was expressed here for the gallant victim, and his brother officers of the 23d evinced the same feeling by going in a body into mourning.

Notwithstanding that the bullet had penetrated half an inch into the brain and could not be extracted, Colonel Tupper survived eight days, during the greater part of which he was sensible, and spoke of his approaching dissolution with the utmost composure and fortitude. He suffered at first great pain from the contusion in the side, and at last from the wound in the temple, from which a small detached fragment of the bullet was extracted the day previous to his decease.

Colonel Tupper was a tall and very handsome young man, muscular and well proportioned, and on the 1st May had completed his thirty-second year, although in appearance he was considerably younger. He belonged

* Major Ross had long been lieutenant of Captain Tupper's company in the 23d, and the two officers, who were warmly attached, entered the legion at the same time.

to one of the principal families in Guernsey—a family remarkable for the fatality which has attended so many of its members, who have fallen, like himself, by the bullet, or perished in the wave.

The favourable opinion entertained of the deceased by his companions in arms will be seen by the following extracts from the general orders and their letters published in the newspapers of the day—the more impartial, as the writers are quite unknown to the family :—

“*St. Sebastian, May 15.*—On Friday Colonel Tupper, who received a musket shot in the head, whilst most gallantly encouraging his regiment, the 6th (Scotch), to the attack in the action of the 5th instant, breathed his last. From the nature of the wound, the ball having entered the forehead and come out behind the ear, little, if any, hopes were entertained of his recovery. On his skull being opened after death, a large fragment of the bullet was found imbedded in the brain. Yesterday he was buried with all due military honors, his own regiment preceding the coffin, whilst detachments from all the others followed it. In the procession were General Evans and his staff, and nearly all the officers of the legion, all the civil, military, and naval authorities of the town, and the captains of the British and Spanish war-steamer that were in the port, the French consul, &c. Colonel Tupper was a man of the most daring courage, and an excellent officer. Though his loss is deeply regretted, yet his death may be said to have been expected, as almost every one who saw him, and amongst those the Spanish officers at Vittoria, prophesied that he would fall in the first affair in which he should be engaged.”—*Times*, 23rd May.

The following letter from our military correspondent at St. Sebastian, has to-day reached us :—

“*Head Quarters, St. Sebastian, May 15, 1836.*—The remains of the lamented Colonel Tupper, who expired on the previous day, from the severe wounds he received in the action of the 5th inst., were yesterday consigned to the grave. He was buried on the spot where he received his wound, in front of the formidable redoubt which his gallantry so mainly contributed in carrying.

“The news of his death pealed like a knell upon the ears of the legion ; but one feeling appeared to pervade both Spanish and English—a feeling of deep regret, and an amiable desire to pay the last tribute of respect to his remains.

“At twelve o'clock precisely the procession moved off in the following order :—

A firing party of the 6th regiment, commanded by Lieutenant-Colonel Ross.

A Spanish Band.

The Horse of the deceased.

Pall Bearers.
Colonel Colquhoun.
Lieut.-Colonel Churchill.

THE BODY.

Pall Bearers.
Colonel Godfrey.
Colonel M. Ross.

Mourners.
Inspectors-General of
Hospitals.

Chief Mourner.
Adjutant-General

Mourners.
Deputy Inspectors-Gen.
of Hospitals.

Dr. Culloden.
Dr. Dicker.

Brigadier-Gen. Le Marchant.

R. Alcock, K.T.S.
Dr. Wilkinson.

The remainder of the 6th regiment.

A detachment of artillery.

Officers, Spanish and English, in funeral order.

The Lieutenant General,

Accompanied by the Spanish Governor, Member of the Ayuntamiento, Col. Wylde, (his Britannic Majesty's Commissioner,) the French Consul, Capt. Henderson, and the Officers of his Majesty's ship Phoenix.

Nothing could exceed the staid and respectful demeanour of the population of St. Sebastian on this mournful occasion. The streets through which the procession moved—the road even as far as the spot where he fell, was lined with people, who were anxious to pay the last compliment to the remains of the gallant soldier, who had, in the very noon-tide of manhood, fallen in their defence. When the procession did reach the fatal spot, where fell one of the brightest ornaments of the legion, it would require the pen of a Scott to describe the scene that presented itself. At our feet was the broad expanse of the Atlantic, and the fair white city shining brightly in the morning sun. Above us the dark gloomy Cordillera of the Pyrenees—before us the ruined redoubt, and the grave yawning for its prey ; around which stood a group of officers, of every arm, and a confused mass of natives, in every picturesque variety of costume.

The beautiful Church service of the dead was impressively read by Brigadier-General Reid, and as the coffin was slowly lowered into the grave, the varying countenances of all present but too deeply portrayed the feelings of grief and regret by which they were agitated.

Frank, open, and generous, the soul of honour, brave to a fault, the *beau ideal* of a gallant and chivalric soldier, Colonel Tupper had gained the esteem and respect of all who knew him. Irreproachable in his life, glorious in the manner of his death, to him may fairly be applied the beautiful epitaph of Tacitus on Agricola:—

Tu vero felix Agricola, non tantum claritate vitæ, sed etiam opportunitate mortis.—*Courier*, May 23.

EXTRACT FROM GENERAL ORDER.—*Head Quarters, St. Sebastian, May 17, 1836.*—At length the admirably directed fire of his Britannic Majesty's ships under Commodore Lord John Hay, and especially that of the *Phœnix*, Captain Henderson, destroyed a part of the enemy's defences. The 4th and 8th regiments of the legion, under Lieutenant-Colonels Harley and Godfrey, just disembarked from his Majesty's ships, now mounted to the assault through the breach thus made, and with the most cool and splendid intrepidity, without firing a shot, rendered themselves masters of this long contested point.

At the same moment the Saragossa and Oviedo regiments, the distinguished volunteers of Guipuzoca, the mobilised company of National Guards, the 3rd, 6th, and rifles of the legion, penetrated the centre, carrying in rapid succession several fortified houses, and capturing the enemy's cannon in that part of the line. At this point the rebel standard, erected in the centre of their works, indicating their intention of giving no quarter, became the prize of the Westminster Grenadiers, under Lieutenant-Colonel Churchill. Here also fell, mortally wounded, the rebel chief Segastibelza. On the other hand it was in this last charge that Colonel Tupper received his wounds. He was leading on his men with that daring ardour, which those who knew him can conceive. He met the fate of a brave soldier, and his honoured remains now rest beneath the spot ennobled by his fall.

"*St. Sebastian, May 26, 1836.*—The brave Colonel Tupper, who belonged to General Reid's brigade, had a presentiment of the fate that awaited him, and often mentioned to the general that he should be shot before Christmas. General Reid assured him that he should not, *for he would not allow him to push on*, as he seemed resolved to do. The day before the battle, Tupper said to some of his friends, he felt convinced that he should be killed; yet such was his gallantry, that he entreated General Reid to allow him to pass the river *first*, and the general, instead of restraining him, obtained permission for him from the commander-in-chief that the 6th should pass first. Before he received the fatal wound in the head, he had also got a severe one in the arm, which he studiously concealed."—*Courier*, June 1.

ON COLONEL TUPPER,

Who was mortally wounded in the engagement at St. Sebastian, May 5, 1836.

HARK! the voice of Freedom resounds once more,
Appalling the tyrant of every shore;
But gladdening the hearts of the brave and free,
And rousing sweet Liberty's chivalry.

From the land of romance and of ladye-love,
From the land of the olive and citron grove,
Where the dark flashing eye of proud beauty darts
Irresistible love into noble hearts;—
From the land of the South and the glowing vine,
Loud rushes armed Liberty's voice divine!
Through sunny Hispania the summons flies
Till it spreads to the shores of her firm allies,
And Britannia's sons to their banners fly,
For freedom to conquer, for freedom to die!

And the call was soon heard through the isles of the sea
That proudly own Albion's sovereignty;
But in none did it wake such sympathy
As in Sarnia, the sweet little gem of the sea,
The loveliest jewel that ever was set
In imperial crown or coronet:

The Norman line, the true Norman blood
 With Norman valour and hardihood,
 Existed still in that blissful spot,
 In the lordly mansion and lowly cot.

But *one* there was of that lovely isle
 Who had ever bask'd in Fortune's smile;—
 Not a braver heart, not a nobler soul,
 Could be found in the realms between either pole;
 Not a knight in bold William the Conqueror's train,
 When he vanquished the beautiful Queen of the main;
 Not Rollo the brave, with his warrior host,
 Of a braver heart than his could boast.
 And he, when Hispania's watch-word came,
 Rushed forth to the war on the wings of fame:
 Not for lucre did he his sweet home resign,
 But to offer his sword at Liberty's shrine;—
 And though when he sped from his island strand
 He presaged his death in the stranger's land—
 Yet his dauntless bosom derided fear
 As the bark bore him on to his bright career.

And of Scotia's sons an invincible band
 Await the brave Sarnian chief's command;—
 And soon the shrill clarion resounds to the fight,
 And high beats the warrior's breast with delight;
 On, foremost, he rushes to beard the foe,
 Lays many a serf of the tyrant low;—
 Though a voice had whispered his death should be
 The costly price of the victory,
 Yet too heedless of danger, too reckless of life,
 He still dashes on through the heat of the strife!

With vengeful fury the foemen see
 The hero's career of victory,
 And maddened they aim the covert blow
 That is destined to lay the brave conqueror low;
 Yet he heeds not his wounds, though deadly they be,
 For he hears the loud cry of glad victory!

The tyrant was vanquished—but, alas! he had dealt
 A blow by each heart of the legion felt,—
 O'er the bright sun of triumph a cloud was cast—
 The Sarnian hero was breathing his last!
 But in victory's arms he still lingered awhile
 To wander in thought to his own native isle:
 From his bosom escaped a parting sigh,
 A tear-drop gushed from his closing eye
 As he thought of the home of his childhood's hours,
 Of its magic vales and its peaceful bowers,
 Of the isle-gemm'd sea that engirt his home,
 And the musical play of the pearly foam,—
 Of the loving and loved that would mourn his fate,
 Yet would proudly his deeds to their sons relate.
 But, alas! the vision recedes from his eye,
 With the beautiful earth and the glorious sky—
 Death darkens the scene—and the warrior's soul
 Is calmly winged to its heavenly goal!

But though he fell on a distant shore,
 There are bosoms there who his loss deplore:
 Soft pity bursts forth from the hearts and eyes
 Of the warrior chiefs as the warrior dies:
 And a noble train of the free and brave
 Attended the chief to his foreign grave,
 With glory's proud honours and laurels crowned,
 To the muffled drums, and the trumpets' sound,
 With solemn march and funereal gloom,
 He was borne in sad pomp to his warrior-tomb;
 And hearts that in battle faced death without fear,
 Shed over the tomb of brave TUPPER a tear.

J. D. PIERCE.

MEMOIR OF THE LATE CAPTAIN JOHN ALLEZ,

BRITISH AUXILIARY LEGION, IN SPAIN.

Mr. JOHN ALLEZ, a native of Guernsey, and of respectable family, commenced his military career, in the British Army, as private in the 87th, Royal Irish Fusileer Regiment, under the patronage of Colonel Sir John Doyle. Being a smart looking and intelligent soldier, he soon advanced through the different ranks of promotion till he was appointed colour serjeant and assistant serjeant major of the regiment, and had obtained the general respect, and good will of the officers and soldiers of the battalion. There was however one fatal exception, which proved the cause of all his subsequent troubles, and the ruin of his hitherto prosperous military career. The serjeant major cherished feelings of envy and jealousy against him, and from the false representations made by that personage, arising from the juxta position into which this promising and popular non-commissioned officer of much superior qualifications, had been brought, he laboured with all his might to injure him in the opinion of the commanding officer of the regiment, and, unhappily for all parties, with too much success; he thereupon addressed a memorial to the commander in chief, Sir Charles Colville, representing that on the 18th April, 1837, he was promoted to the rank of serjeant, in regular succession. These two latter steps were conferred by Lieutenant-Colonel Blair, his colonel, who never saw any thing in his conduct to make him repent of his patronage, or to wish him to withdraw it. On the 7th May, 1831, Mr. Allez was tried by a regimental court martial, by order of Colonel Goldie, (his inveterate persecutor,) on board the Arab transport, for neglecting to obey the orders of Serjeant-Major Chubb, respecting some clothes put out to dry on the bowsprit: on that occasion, he was found guilty, and sentenced to be reduced to the rank of private, although a letter of recommendation, appended to the proceedings of the court, contained a statement, that acquitted him entirely of all intentional disobedience, or neglect, in consequence of which recommendation, he was restored to the rank of serjeant. On that event, he addressed a letter to the president of the court, requesting that the recommendation be withdrawn and that he be allowed to resign; but Lieutenant-Colonel Goldie would not permit him to do so. On the 4th April, 1832, Lieutenant-Colonel Goldie, with insatiable malice, accused him on three different charges, namely, dishonesty, and falsehood, with intention to deceive. The court, after a patient investigation, acquitted him of all the charges, except that of falsehood; but on that charge they acquitted him "of any design to deceive!" Notwithstanding, they placed him at the bottom of the list of serjeants, being then nearly the senior. On the 10th April, 1832, being reproached by Lieutenant-Colonel Goldie, before the non-commissioned officers assembled on parade, as a perjured man, he, at the conclusion of the parade, as a perjured man, applied immediately to the adjutant, and stated the injury he felt done him by the commanding officer, requesting he would report his grievance. The colonel then desired him to write his grievance as a petition, and he would forward it to the commander in chief; cautioning him at the same time to beware, that the result would be a general court martial, and repeatedly questioned him if he, Mr. Allez, was aware of the consequences of such a court. He replied he was resigned to any thing; that death would be preferable to the imputation which rested upon him. The colonel observed, it was not death, but most probably the halberds. The following morning at orderly hour, being sent for, and appearing before Colonel Goldie, he was told by him, that he, the colonel, had framed a charge of wilful perjury, and ordered that he should be immediately placed under arrest. Knowing himself to be the plaintiff, who can doubt at his astonishment! Having appeared with a statement of his case, to which, he naturally conceived that immediate attention would be paid, the colonel declined receiving it. He then requested that it might be forwarded to his excellency the commander in chief; though the colonel replied he would take care it should not, and he was placed in confinement for sixteen days.

On the 18th April, 1832, Mr. Allez was tried before a garrison court martial, for wilful perjury, and was honourably acquitted: fearing, however, that persecution had not yet done its worst, as soon as the proceedings of the court were read on parade, he requested of the colonel to be transferred to any other regiment in his Majesty's service, but was refused on the plea, that his conduct had not deserved it. During that period, whilst earning twenty-five dollars per month in teaching English in some of the most respectable families of Mahebourg, with-

out the slightest intermission of his military duties; and, having stated this advantageous employment, as a reason for wishing to be discharged, Lieutenant-Colonel Goldie ordered him, through Captain Bowes, not to give any more lessons, under pain of disobedience of orders. On the 7th August, 1832, he was tried by order of the lieutenant-colonel for having absented himself from the hour of tattoo until ten o'clock, was found guilty, and ordered to be reduced. Though conscious of having committed an irregularity, which he acknowledged to the court, and though aware of the severity of the sentence, for the degree of offence proved against him; still he had secret misgivings that the opinion of the court had been influenced by his accuser, as, while the proceedings were pending, the lieutenant-colonel sent for the president, Captain Hutchinson, and had a close conversation with him for a considerable time, which must become evident, to any one who will observe the subsequent conduct of Lieutenant-Colonel Goldie. Mr. Allez then requested to appeal to a general court martial, to which the colonel replied, *he would hear of no appeal*; and desired the drum-major to cut off the stripes. He afterwards requested to address the commander in chief, but was also refused, and he was ordered to join his company.

This was the ground of his subsequent memorial, representing the injury he had thereby sustained, which at once blasted his hopes and future prospects. He stated to his excellency that the lieutenant-colonel had on two occasions refused to forward an appeal, as commanded by the articles of war. The course to be pursued by a general officer was plain;—justice towards the complainant; and the interest of the service demanded that it should be made the subject of investigation by a court of inquiry, and according to the result, the soldier should have been tried for presenting a false or frivolous complaint; or else the lieutenant-colonel should have had the alternative of doing him justice, or quitting the regiment. No such uncompromising step was adopted: the lieutenant-colonel endeavoured to make good his cause (or rather that of the serjeant-major) with Sir Charles Colville.

Mr. Allez, hearing rumours of those proceedings, addressed a letter, twelve days afterwards, to the deputy adjutant-general of the forces, in which he pointed out the critical situation in which he was placed, and also enclosed a regimental order, published by the lieutenant-colonel on the occasion of his being re-appointed colour-serjeant, in which it was stated that "the extreme intelligence Serjeant John Allez had shewn in the performance of his duties as assistant serjeant-major, and general good conduct in every point, induced the commanding officer to restore the colours to him, &c.—this is a clear proof that he "was more sinned against than sinning."

His fears however were not without foundation, as this pretended record of his offences, got up by his enemy, the serjeant-major, and quite unsupported by the defaulter's book of the regiment, had fatally influenced the mind of the general, and thwarted the ends of justice. After the lapse of several weeks from the date of his memorial, his excellency expressed his agreement with him, (the lieutenant-colonel,) that John Allez was not a fit person to be a non-commissioned officer!!—though subsequently, when the letter was called for by the general court martial, it then appeared that Sir Charles felt dissatisfied with the sentence and proceedings of the court, and pronounced it "*unnecessarily severe*"! Mr. Allez again addressed the deputy adjutant-general, and stated that he was fully resolved to lay his case before the house of commons.

At the half-yearly inspection of the regiment, when the general made the usual enquiry on parade, if the men had any complaints!—Mr. Allez stepped forward, and respectfully asked, if his excellency's decision upon the memorial he had forwarded was final. Sir Charles replied in the affirmative, although the memorialist had obtained no redress. He requested to have a copy of the list of misdemeanours alleged to have been committed, and of which he stood accused.—The general signified his assent, and passed on.—On being furnished with the same, the villainy of the serjeant-major was apparent, from the bare fact, that the judgments of the courts martial were misrepresented.

In a subsequent memorial to Lord Hill, he stated, that having served seven years, he found himself degraded in station and pay, and more than ever exposed to the malevolence of his combined enemies; he therefore obtained legal advice of a barrister at Port Louis; but the confidence he placed in that person was shamefully violated, who turned it to the account of the local politics of the colony, by inserting it in one of its journals, called "*Le Cernéen, ou la petite revue Africaine*," and, through that medium, advocated his cause, and censured the commanding

officer—thus warping it from its legitimate purpose. Upon this event, he was again prosecuted by Lieutenant-Colonel Goldie, and, after an imprisonment of twenty-seven days, was brought for trial before a general court martial. Although he was acquitted of all criminal intention, the court closed its proceedings, and strongly animadverted on the improper conduct of private Moor (who was shortly after promoted to the rank of lance corporal, after this treachery,) in having, at the suggestion of some other person, invited the prisoner, whilst under arrest at Mahebourg, to drink some tea, in which rum had been clandestinely mixed, apparently for the purpose of reporting him to Serjeant Taylor, whom he knew to be on bad terms with the prisoner. That tribunal, after an investigation which lasted for eleven days, is conclusive on the case. The lieutenant-colonel now condescends to request Mr. Allez to let the matter drop; but the worm, when trodden upon, will turn, however powerful may be its tormentor. But who could credit, that a "general order" was issued, which, in contempt of the decision of the court martial, attempted to vindicate the conduct of the lieutenant-colonel, which stated that, in his excellency's judgment, nothing had transpired, which could affect the character or honor of Lieutenant-Colonel Goldie!—though it appears his excellency could not then obtain the *concurrence* of the court—the inconsistency of this apology carries, on the face of it, its own refutation. After submitting to six general courts martial, and being acquitted on every charge, this unfortunate young man, finding all hopes of advancement in his profession cut off, applied for his discharge, offering to pay the stipulated sum required by the regulations. He had the mortification of being refused that just request, the deputy adjutant-general informing the lieutenant-colonel that his excellency, under *existing circumstances*, must decline granting that soldier's request, but that his application would be transmitted to the right honourable the general commanding in chief. Mr. Allez was therefore compelled to become the passive victim of his persecutor, who added insult to cruelty, by styling him a "lawyer!" and a person of dangerous character, meddling with the politics of the colony. The hour of retribution was approaching,—Providence seemed to espouse his cause, and the military slave was to enjoy a respite: Sir Charles Colville was relieved in his command and replaced by Sir William Nicolay: about the same time, the original cause of all his sufferings, Serjeant-Major Chubb, went into the hospital, and after a short illness died; and his supporter, the lieutenant-colonel, not having his temper under control, gave vent publicly to language, so unmilitary, respecting the adjutant of the forces, that charges were entered against him, but he was allowed the alternative of being tried by a court martial, or of leaving the regiment. He chose the latter, and obtained permission to proceed forthwith to England. The proceedings of Mr. Allez's court martial must have gone before him, and now appearing himself, Lieutenant-Colonel Goldie, under the cloud of a direct personal fault how was he received at the "Horse Guards?" what censure was passed upon his persecution of Allez, his injustice to the individual, and his own individual errors? particularly of his last extreme indiscretion? He was appointed lieutenant-colonel of the 36th regiment!!! thereby justifying the appellation of "The favoured colonel."

Soon after his departure from the Mauritius, Mr. Allez was appointed clerk in the garrison office, under the deputy adjutant-general, and the commandant of the garrison, who had been president of the general court martial: but, still smarting under the degradation which had been inflicted, he forwarded, in the regular official channel, to the commander in chief, a full statement of his case, together with copies of all documents connected with it. This representation was transmitted to England in the month of June, 1833, (and will it be credited by those who remember the system of the Duke of York, who had him made corporal in 1826,) that it was never answered! That respectful appeal for justice to legitimate power was not only neglected, and the wrongs complained of left unredressed, but the false representation of Sir Charles Colville was adopted. Orders were received from the Horse Guards, several months afterwards, granting Mr. Allez permission to purchase his discharge, *only on condition of not remaining in the colony!* At this time, the office of chief clerk in the adjutant-general's office became vacant, and he had the assurance of being appointed to it, if he were allowed to remain in the island. But now his hopes were effectually crushed. Before yielding to his fate, he, however, made another effort to rectify the judgment of Lord Hill, the general commanding in chief, in addressing Sir William Nicolay by letter. But, far from obtaining redress from the highest authority, he, by refusing an investigation into the subject, and insisting on enforcing

the unjust condition of Mr. Alex's departure from the colony, became himself a persecutor, sending for answer, that the sentence was unalterable. Availing himself of the permission to purchase his discharge for the sum of £18, which was raised by a few friends at Port Louis, he was, by an aggravation of injustice, compelled to *provide himself* with a passage to England, being deprived of the advantageous employment he might have had in the colony, in teaching the French and English languages, his situation of chief clerk in the adjutant-general's office, and moreover prevented trying his fortune in India, or any of the British colonies. He addressed the British merchants of the colony, soliciting their assistance to obtain a passage for him to England, the sum of £80 being above his means. Those gentlemen, with true British spirit, subscribed the requisite sum. On leaving, he was furnished with a certificate of exemplary conduct, signed by Lieutenant W. L. Stafford, lieutenant 87th regiment, and acting garrison adjutant, and authenticated at the adjutant general's office, Horse Guards, by John Garvoek, A. A. G.

On his arrival in England, and appearing at the Horse Guards, for the purpose of receiving his discharge, he learned, that in the October preceeding, about the period he was leaving the Mauritius, an order had been sent, *cancelling the injurious condition of his quitting* the colony; but this tardy justice was of no avail: discharged from the service to which he had devoted himself, and with no means of earning a livelihood, he was compelled to make every effort to obtain justice. The lord mayor advised him to address the Duke of Wellington, and he also wrote to the secretary at war: and lastly addressed the adjutant general of the forces, stating his forlorn condition, and pointing out his last resource of addressing the house of commons, stating that a military gentleman, Lieutenant Colonel de Lacy Evans, had promised to undertake his case, and also the editors of three newspapers; but entreated, that by receiving redress, and compensation, he might not be driven to this last extremity. On appearing before Sir John Macdonald, there was no question of those facts, which he had represented and of the hardships under which he suffered. They were fully admitted; but though there might have been a vacancy, the simple fact of his having been tried by a court martial was a barrier to him, whether *guilty or not guilty*. He was informed that if he could find any situation, he (the adjutant) would give him every recommendation. On the part of Lord Hill, it was suggested to him by Sir John Macdonald, that he should again enter the service, and who can credit it, into the regiment commanded by his enemy, Lieutenant-Colonel Goldie, (i.e. the 35th) and that Mr. Alex would be strongly recommended to him! He was also informed that the money paid for his discharge might be returned. This then was the only satisfaction to be obtained by the broken-hearted young soldier. The official reply to his letter was, (after having refused entering the 35th) that having submitted it to the Duke of Wellington, and been referred by his grace to the requisite department, as well as the letter he had addressed to the secretary at war, Sir J. Macdonald, adjutant-general, was desired by Lord Hill to inform him (Mr. Alex), that as he had applied for his discharge, and accepted it upon the conditions proposed by his lordship, he could not then enter into any detailed statement relative to his case. Upon that heartless and unjust document, no comment can be necessary. It now remained to be proved, whether the last resource of an oppressed subject, an appeal to public opinion, and the constitutional organ of it, a British house of commons, would be tried in vain? His gallant friend and patron, Lieutenant-Colonel Evans, according to promise, was to bring the subject under parliamentary notice; and none can doubt that a reformed house of upright British senators would have awarded competent and satisfactory justice to that injured subject. He was subsequently advised by his friends to abandon proceedings, and accept a commission, which was offered him, in the Spanish service, which he did; and whilst fighting in the cause of constitutional liberty, and earning "reputation at the cannon's mouth," fell gloriously on the field of battle, and mingled his ashes with the heroes of St. Sebastian,—an honour to his country and his friends, not merely as the soldier, but the man; and none will dispute or question his claim to the noble maxim of "*palman qui meruit ferat.*"

Who can read this affecting narrative and not curse the aristocratic construction of the British army.

[We think it right to state that this article is a communication, and not our own composition: though we know that the facts are authentic. The style, however, is not entirely *Certhian*.—Ed.]

ROYAL COURT, GUERNSEY.

THOUGH the local papers have at different times published reports of the cases of Messrs. Brehaut & Co. submitted to the decision of the royal court, yet, as these have been mostly confined to the particular cases then under discussion, we have considered that many persons would feel an interest in perusing a succinct and condensed summary of the general line of argument pursued, of the sentences pronounced, and the principles which governed each judgment.

Since our last number was published, the sense of the court has been taken, and its decisions given upon the various cases connected with the London tradesmen and the firm of Brehaut & Co., their debtors. One or two cases which have to be decided by the court of appeal of this island, and the definitive judgment which has still to be pronounced upon the greater part of the disputed cases, involving merely the question, whether Messrs. Mourant and Mansell will eventually prove either fraud or collusion on the part of the holders of bills drawn by their head partner in the name of the firm, can hardly, in the present stage of the proceedings, affect the ultimate decision of those cases which have been heard, and upon which the sense of the court appears to be pretty well ascertained.

The parties in these suits, which have created so much excitement in London and in this place, are, on the one part, Messrs. James Mourant and Frederick Mansell, who, with Mr. H. T. Brehaut, formed the partnership of Brehaut & Co., linen and woollen drapers; and, on the other, numerous London houses of the first respectability, with many of which the firm in Guernsey had long been in the habit of doing business. In fact, we may safely state that never was public opinion more unequivocally pronounced than in favour of Messrs. Mourant and Mansell, gentlemen of unblemished character, and utter strangers to the transactions which have brought about the ruin of their establishment. Could any doubt have been entertained on this subject, the straightforward manner in which they defended their own cases and those of the London creditors whose claims they admitted to be just, would have soon caused it to subside. It is indeed more than probable that, had they been consulted upon the contracts entered into by their head partner and the London houses whose claims are at present the subject of litigation, they would not now witness the ruin of their establishment, nor the London tradesmen the heavy losses to which they must ultimately be subjected.

The creditors brought their actions before the court, either for bills of exchange drawn by Mr. H. T. Brehaut in the name of the firm, or for the amount of their accounts for goods sold and delivered.

The means of defence taken by the respective parties were as follows: For the London creditors—that they had *bona fide* given value for the amounts claimed; that as holders of bills drawn in the name of the firm by the head partner, the other partners were, as a matter of course, liable to discharge them; that they had not any reason to suspect the head partner contemplated any act to the prejudice of his firm, might be easily conceived from the circumstance of his effecting purchases much in the same manner as formerly, with the exception of the longer credit which was allowed on account of the greater amount of goods purchased, and the longer term required for the return, as the goods were intended for the foreign market; that the fact of the bills being on unstamped paper, and alleged to have been drawn in London, though dated Guernsey, did not constitute a violation of the stamp act, as the bills were given for goods purchased for a market where the stamp act was not in force, and to be sold by persons resident and established beyond the jurisdiction for which the stamp act had been created.

To these arguments Messrs. Mourant and Mansell raised the following objections: that the bills had really been drawn on unstamped paper in London and not Guernsey, and on that account were not valid; that the head partner had no authority to make the purchases for which payment was now demanded; that the fact of his sending them to a foreign market ought to have raised the suspicions of the plaintiffs; that the creditors knew that the head partner was committing an unwarrantable and fraudulent act, which they offered to prove by evidence.

The cases having been heard at great length by the court, we shall now range under three categories the various decisions which have been given, and in one of which every creditor of the firm will fall; observing at the same time that it ever appeared to be the anxious wish of the bench to distribute the most even-handed justice to all parties.

Under the first denomination—all creditors whose claims were not disputed by Messrs. Mourant and Mansell, and having given value for the claims they made, at once obtained judgment in their favour.

Under the second—all creditors for goods sold and delivered to Mr. Brehaut, but not received by the firm, who could shew he had pledged the liability of that firm, obtained a judgment in their favour, subject to Messrs. Mourant and Mansell not succeeding in proving the alleged imputations of fraud brought against them.—The court, in these cases, presumed that good faith had existed on the part of the creditors until the contrary was proved, the jurats alleging as a reason the *prima facie* evidence flowing from the instrument of a person for whose acts the firm of Brehaut & Co. were in the first instance responsible.

Under the third, the court ranged those claimants who could not show the liability of Messrs. Mourant and Mansell for the transactions of their partner.

Most of these had accepted bills from Mr. Brehaut in his own name, which circumstance, coupled with that of the firm's having received no value for the claims thus made upon it, and Messrs. Mourant and Mansell not being parties to such transactions, were discharged. Judgment was therefore given in their favour.

From most of these cases, appeals to the court of judgments in Guernsey are still pending.

Such is, as far as we have been able to ascertain, a succinct and correct view of the various cases which have been submitted to the court for its decision,—of the arguments by which they were supported,—of the principles by which they were decided, and of their results.—It is needless to observe that the limits of this publication would not allow of our giving the incidents and merits of each particular case.

Mr. James Barbet, Jun., law agent, acted under a power of attorney for most of the London houses.

SARNIAN MELODIES.

No. 3.—THE SEASHORE.

When the sun at earliest morn
Upward darts its piercing rays,
Or on clouds of vivid gold
Flings its full descending blaze;
On the face of ocean blue,
Purple shades of every hue
Glean o'er bright enchanted bays,
And illumine the snowy foam:
Then in silence sweet I love
O'er my native beach to roam.

Where from the calm summer sea,
Cool and fragrant breezes blow;
As the screaming sea-fowl plays,
And the glossy varechs grow
Thick upon the sea-worn stone.
Pleasant thus to be alone,
When the crystal waters flow,
When the billows rumbling come,
Then in silence sweet I love
O'er my native beach to roam.

Thou! that rul'st yon ocean wide,
Grant such blisses may ever last!
Oh! that Fortune's baleful frown
Ne'er be o'er my future cast!
Nor Memory in foreign lands
Regret these rocks, and seas, and sands;
Recall the pleasures of the past
Far from my sunny island home;
For in silence sweet I love
O'er my native beach to roam.

P.

The Review of Mr. Harris's Account of Guernsey, though put in type, is unavoidably postponed from want of room. It shall, however, appear in our next, when we will endeavour to refute his misrepresentations of the island.

THE

GUERNSEY & JERSEY MAGAZINE.

AUGUST, 1836.

IRELAND AND GUERNSEY.

Whoever proposes any plan, which deviates from the common routine of existing affairs, must expect opposition from various quarters. Man is so emphatically the creature of habit, that he feels an invincible repugnance to abandon the usages of his forefathers. Indolence renders some too lazy to think; pride induces others to cling with pertinacity to whatever they have once adopted; and fat, contented ignorance, beholds with heedless disregard all that passes around, both in the physical and intellectual world. Against this formidable array of prejudice, truth has to fight the battle of social improvement, and, though her conquests are tardy, and purchased with toil and danger, yet they are ultimately certain in their acquisition and enduring in their character.

We have made these brief remarks as a preliminary introduction to this article, because the subject of it has never yet, at least to our knowledge, been submitted to public inquiry, and we desire to prepare our readers, at the outset, for the reception of some political novelties. The title, which we have selected as a heading, conveys some general idea of our intention, and indeed the juxta position of "Ireland and Guernsey" was purposely designed to awaken curiosity and attract notice. In thus attempting to travel over untrodden ground, we at once avow that our main object is to induce some members of the British legislature to study the results produced in Guernsey by her system of landed tenures, and, if we succeed in maintaining the line of argument which we now proceed to exhibit, and substantiating it by an appeal to facts, our rulers may be induced to introduce the plan experimentally into Ireland; and we ourselves are convinced, after long and patient investigation, that no measure would conduce so much to the peace and permanent prosperity of Ireland as that which we are about

to propose. We shall commence with a few statistical facts, on which we shall base the whole of our reasoning.

IRELAND...	{	Statute square miles.....	30.370
		Statute acres.....	19.436.800
		Population	6.801.827*
GUERNSEY...	{	Square statute miles.....	24
		Statute acres.....	15.360
		Population, census of 1831	24.349

Now, the first important fact, obviously deducible from these two short tables, is the following : that while every square mile in Guernsey (we reject fractions) contains one thousand persons, every square mile in Ireland only contains two hundred and twenty-three persons ; so that the power of sustaining human life in Guernsey, when compared with the same power in Ireland, is nearly in the ratio of five to one. Now, it cannot be truly affirmed that the soil of Guernsey, acre for acre, is, *from natural causes*, five times as productive as that of Ireland, for though our land be good, yet the fertility of the sister kingdom is universally admitted. Neither, to affect this present argument, can it be affirmed that the whole surface of Guernsey is adapted for the spade or the plough, for one-third of the island is not under cultivation, it being clearly ascertained, by accurate measurement, that out of the 15,360 acres of which it consists, 5,120 are either not susceptible of culture, or are occupied with dwelling houses, buildings of various sorts, streets, and roads ; so that for agricultural purposes, Guernsey only possesses 10,240 acres, or one-third of her total surface. We set this off against the bogs of Ireland, observing that these very bogs furnish fuel from their peat, a substitute for coals, which Guernsey does not possess, nor has she any limestone.

But not only does Guernsey support a population, with reference to her soil, nearly five times as numerous as that of Ireland, but there is also to be taken into the account this most important difference : that, whereas every Guernseyman has a comfortable house to live in, a clean bed to sleep upon, and plenty to eat and drink every day in the year, the Irishman is lucky if he shelter himself in a mud cabin, find a soft plank to repose on with his pig, if he has one, and get a dry potatoe, without salt, to escape starvation. It is also highly worthy of notice that Mr. O'Connell has admitted, and Mr. Poulett Scrope, in the present session, made the same declaration, that upwards of two millions of the people of Ireland were without occupation, pauperized to the lowest verge of degradation, all but houseless, shirtless, and shoeless, living on an inferior sort of potatoe, called "a lumper." Now, in Guernsey, a beggar is not to be seen, nor does the hospital contain any

* On the authority of Mr. Shaw Mason, who was empowered to collect a census of the population, by an act of parliament passed in 1821.

but the bedridden, the insane, the sick, and the aged, those whom humanity delights to succour in misfortune. The contrast between the moral and orderly habits of the people of the two countries is equally striking. Machine breaking, rick burning, ham-stringing cattle, and murdering their fellow-creatures on the highway, or shooting them through the windows of their houses, are utterly unknown in Guernsey. Now, these are solid facts, which defy refutation, and if we are asked to account for this most astounding difference, our answer is short and simple : Guernsey has good institutions ; Ireland, most pernicious ones. But before noticing more minutely the machinery of our little government, and the mode in which it works, let us glance at Ireland.

The sister kingdom has proved for centuries the "*Pons Asinorum*" of British statesmen. Called by courtesy, or rather by mockery, an integral portion of the empire, she has always been treated as a subject province. Crowded with soldiers, paid by the hard labour of English mechanics, to secure the rents of absentee landlords, the face of the country has exhibited the appearance of an extended barrack. In the hour of danger, the Irishman has shed his blood on land and sea to support the dignity of the crown and the independence of the nation : in time of peace, his services have been forgotten. His arm has been counted on in the day of battle, but he has never been remembered in the division of the spoil. So little have English rulers sympathized with Irish distress, that Lord Lyndhurst, only a month ago, denounced the people as aliens in blood, aliens in religion, and aliens in feeling ; and this brutal, ungrateful, and anti-Christian sentiment was cheered by the house of peers, in the presence of the episcopal legislators. It is quite evident, from this display of conservative virulence, that the ignorant and grasping faction, now headed by the renegade lawyer, regard the people of Ireland as mere serfs,—hewers of wood, and drawers of water,—unworthy of being admitted within the pale of social affection. To them, therefore, we do not address ourselves, for we might as profitably cast pearl before swine, as appeal to their understanding. What will become of these political maniacs, if they persist in their folly, may easily be conjectured : they will experience the fate of the old *noblesse* of France, unless they are saved from perdition by the wisdom, virtue, generosity, and manliness of the pure radicals.

The next class of politicians who have interested themselves in the affairs of Ireland, are a mixed race of experimentalists in legislation, who have displayed some good intentions, but very little wisdom, skimming the surface, but never fathoming the bottom. What wonders were not anticipated from emancipation, as it was absurdly called ? It appears to us that that "healing measure," to use the cant parliamentary phrase, has only had one permanent good effect, and it is this : so long as the catholics were under political disabilities on account of

their creed, the priests could easily persuade the peasantry, that the exclusion of the agitators from the houses of parliament was the sole cause of their being badly fed, badly clothed, and badly housed. This sophism is now happily blotted out from the common-place book of Jesuitism. Next came a torrent of drivelling eloquence on the small points of church cess, vestry meetings, &c. Still the people continued as badly off as ever, and they were beginning to open their eyes to the delusion practised upon them, when they were dexterously blinded by the "Repeal of the Union," one of the most rickety, spavined, broken-down stalking horses that political mountebank ever bestrode. This sorry beast soon received so well planted a blow from the hind legs of John Bull, that it has ever since been turned out to grass. Next we had the Tithe Commutation Bill, attempted to be forced on the Irish, when every man of common sense and true piety was advocating the voluntary principle, and protesting against the compulsory payment of a clergy professing to preach that religion "whose service is perfect freedom." Thus six years have been occupied in the discussion of minor points, which, when carried, could only strengthen the rich and gratify their ambition, but could not contribute one straw to amend the moral condition, or enlarge the comforts, of the people at large.

We do not deny that these measures have been to some extent useful, but we are of opinion that the legislature might have been engaged in the consideration of objects infinitely more beneficial; for, after all the bickerings and skirmishes of party, and the breaking up of cabinets, the fact still stands recorded, that upwards of two millions of Irishmen are only one step above savages in the comforts and necessities of existence. It is *their* distress that our senators ought to relieve, instead of postponing the consideration of their claims from session to session.

Among other schemes, it has been proposed to introduce a system of poor laws into Ireland, to correct the evil of which we complain. Now, if by this it were intended to protect the lame, the blind, the bedridden, the aged, and similar objects of commiseration, we should certainly not oppose, but cordially recommend, the adoption of such a measure; but if the design were to make up the deficiency of wages out of a tax, as used to be the case in England, we should condemn the plan as unwise and impolitic. A poor law of such a character is a clumsy contrivance, and must ever be so, no matter under what form it may exhibit itself: its very enactment tacitly acknowledges that the fabric of government is built upon a narrow foundation: it announces that the institutions of property are framed in the spirit of monopoly and injustice, and that the laws by which they are regulated, sacrifice the interests of the many to those of the few. With the exceptions above named, which rather relate to the inmates of a hospital, than to those of a poor-house, we consider any legalized system of parochial relief a clear admission of a

crude, bungling, and defective mode of administration, as the mere palliative of an evil, which evil itself ought not to exist. But, say the political economists, "How can you exterminate the evil?" to which we answer, by introducing into Ireland the Guernsey system of landed tenure, the nature and effect of which we now proceed to explain, impressing on our readers the important fact already established, that Guernsey, in reference to her extent of territory, sustains a population five times more numerous than Ireland, and that too in the highest degree of comfort.

The relation of landlord and tenant, as it exists in England, Wales, Scotland, and Ireland, is unknown in Guernsey. Tenancies at will, or for a term of years, are not recognized by our law. Suppose that *A* possesses land valued at twelve hundred pounds, which he desires to *sell*, as we should say in England, or *to give to rent*, as the phrase runs in Guernsey, the process would be the following: *A* would either convey his estate to *B* wholly in quarters, without receiving any cash, or, as is the more usual mode, he would receive one-fourth of the price in money, and convert the remainder into quarters. One Guernsey quarter is equivalent to twenty pounds sterling, local currency. In the first case, *B* would have to pay annually to *A* sixty quarters: in the second, forty-five quarters. The reason why it is usual to pay one-fourth part of the purchase price in money, is, that such payment may be some guarantee to *A*, that *B* will faithfully work the estate, and pay his rent regularly; for, should the rent fall in arrear, then *A*, by the process of *saisie*, may totally eject *B* from possession of the property, and the three hundred pounds paid by *B*, when the contract was passed, would be lost to him for ever. In this manner, then, is the seller or landlord, secured in the receipt of the equivalent, for which he has parted with the estate.

As soon as the contract between the parties is executed, *B* becomes, to all intents and purposes, absolute proprietor; and so long as he pays his quarters, he never can be evicted; nay, more, he can fell timber, convert meadow into arable, or arable into meadow, and perform any, and every act, that a tenant in fee can do in England: moreover, his estate, thus acquired, descends to the heirs of his blood, lawfully begotten; and on failure of direct issue, to his nearest of kin. Sometimes these annual quarters are made permanent, but most frequently they are redeemable gradually by certain instalments, as the buyer and seller may have agreed. Their value may be fixed at a sum certain, as twenty shillings per quarter; or they may be fluctuating, so as to depend on the current value of a quarter of wheat, which is the fairest mode of computation, for, if corn is high, then the farmer can afford to pay a high rent; and, if corn is low, he is relieved from paying more than his crop warrants.

We shall exhibit the more prominent effects of this system of tenure.

The first immediate consequence is, to raise the moral standard of the people, to inspire the whole population with a manly and independent spirit, and to destroy that cringing adulation and fawning servility, which leases for years have necessarily engendered among the tenantry of England. All men, no matter to what political party they may belong, have admitted that the institution of property is the basis of civilization. This principle being acknowledged sound by universal consent, it follows that whatever counteracts its expansion, must be vicious, and that whatever aids its development, must be nationally beneficial. The bare possession of property is an imperfect good: it is essential that the possession should be secure, and, if security for a term of years be desirable, much greater must it be for permanent enjoyment. Now, the English plan of leases for seven, fourteen, or twenty-one years, together with tenancies from year to year and at will, is bad in principle, as they merely convey a temporary interest determinable at a date specified: the working farmer thus becomes a bird of passage, without any fixed home. He may be prudent, industrious, and sober: a good father, a good husband, a good master, a good neighbour, and a good citizen: but these virtues avail him nothing: he lives in a state of agricultural servitude; and, at the expiration of his lease, the caprice or spite of his landlord may expel him from his former home. Far different is the condition of the Guernseyman. Once possessed of a farm, he never can lose it except through his own fault: he has only to pay the stipulated quarters, and he continues absolute lord of the property; he feels proud of his position, and the spirit of independence is within him: he is not classed among the locomotive machines of humanity, who, in Great Britain, are shifted from county to county, seeking a doubtful and precarious subsistence from an insolent and grasping squirearchy! No: he has a solid stake in the country, though it may be small; he can say with honest pride: "This house is mine; that field is mine; and, when I die, the law will give them to my children."

The tendency of the Guernsey system of tenure, is to develop the masculine energies, and quicken into life all the social virtues. It prompts to industry; it encourages economy; it represses intemperance. A man having paid down in cash one-fourth of the value of the land which he holds, is stimulated by the most powerful impulse to redeem the annual quarters, and disengage his estate from the payment of rent. In the eyes of a person so circumstanced, labour loses its repulsive character, for he feels that he is working for himself. He has an object constantly before his mind, which he steadily pursues. The propensity to drunkenness, so fatal to the working classes of Great Britain, is counteracted with the Guernseyman by the opportunity, and the desire, of acquiring a disencumbered landed property. But the Irish labourer

has no such incentive to moral restraint. The institutions of his country forbid his rising in the scale of society. Far from contemplating even the most remote possibility of becoming the absolute owner of an acre of land, he considers himself eminently fortunate, if he can secure regular wages, as a labourer. He passes through existence only one remove higher, than the oxen which he drives at the plough. His feelings are deadened; his mind is brutalized; his energies are depressed. His life resembles that of a horse in a mill, confined within a circle, out of which he can never escape.

The Guernsey tenure, coupled with the sub-division of land, and its necessary consequence, small farms, induces, nay, compels, the owner to cultivate every inch of ground with the most careful industry. By this plan, nothing is lost. Thousands of acres are not wasted in immense parks, devoted to the sustentation of deer, a race of animals never intended by nature to graze on rich pastures, to the diminution of human food. The practical results of Guernsey agriculture have been fully shown in the third number of this Magazine; but, in addition to the remarks therein contained, the reader is requested to bear steadily in mind that, in reference to extent of soil, Guernsey subsists in comfort five times the population of Ireland, one-third of whom are pauperized, while every Guernseyman has all the daily necessities, with some proportion of the luxuries of life.

Political economy, though undoubtedly one of the most useful of the sciences, is apt to induce into error, when it defines the wealth of nations to consist in the number of the population, and their command over the precious metals. That these are *two* of the elements of wealth, is most true; but the definition is deficient, because it overlooks the moral character of the people. Most especially does this omission apply to the moral character of the Irish. It is mere verbose declamation to call them "the finest peasantry in Europe;" they are really just the reverse; but this is their misfortune, not their fault. That the people of Ireland, as well as other races of men, just so much and no more, possess all the natural capabilities of improvement, needs no proof: their present inferiority depends solely on the exclusive and unjust structure of their institutions, which have been framed to benefit a party, at the expense of the nation. The many plough the land, sow the seed, and house the harvest; but the produce goes into the pockets of a few favoured individuals, who care no more about those who create their wealth, than they do for a wooden or iron machine. There are no bonds of sympathy between the Irish landlord and the Irish labourer; in most cases they never even see each other; the proprietor regards the tenant as a serf, and the tenant considers the landlord a tyrannical usurper: thus the standard of morals is reduced to zero; and hatred, contempt, indignation, and insolence, become the ruling passions of the

country. How is it possible that this nation can be prosperous, when the expansion and influence of the virtues are deadened, and the elements of discord systematically roused into ceaseless action ?

Experience has shown that every attempt of legislation, hitherto tried, has failed in producing any beneficial advantage to Ireland, at least on any scale commensurate with existing evils. Our statesmen have never had the courage to probe the real wound. They have wasted their time in defending the rights of the church and the aristocracy, but they have neglected the demands of the people. Until the masses can command the necessities of life, a house, food, and clothing, the sister kingdom will never be pacified, and we fearlessly affirm that this object may be attained by introducing the Guernsey system of landed tenure into Ireland. It is vain to call this recommendation a mere theory,—to denounce it as an Utopian scheme,—or to spurn it as the dream of a visionary enthusiast : for this system has endured in Guernsey for centuries, and the proofs of its utility are palpable and uncontradicted. Peace and plenty reign throughout the bailiwick ; a wandering beggar is a creature unknown ; crime is of the rarest occurrence ; and among the happiest results of these institutions is the important fact, that labour is considered honourable in Guernsey, while in England it is a badge of disgrace. Virgil expressed his doubts as to whether the Roman agriculturists understood the value of their occupation :

*O fortunati nimium, sua si bona norint,
Agricolæ ! quibus ipsa procal discordibus armis,
Fundit humo facilem victum justissima tellus.*

This scepticism, however, would be inapplicable to the natives of Guernsey, who have the good sense to appreciate the blessings which they are permitted to enjoy.

Incidental to the system of Guernsey tenure, and necessarily flowing from it, are many points of political reform of vital importance to the well being of society. As things are now managed, the electors of members of parliament are compelled to vote against their consciences, for where a direct money bribe would be refused, the menace of ousting a man from his farm will, in most cases, prove successful. This evil is so well understood that a strong, and annually increasing, party, insist on the introduction of the ballot to secure poor voters against the dictation of lords and squires ; but if the Guernsey tenure were established, and the working farmers thus rendered independent of the oligarchy, the ballot would be unnecessary, at least, in agricultural districts. If the plan here recommended were carried into effect, we should never again be shocked at hearing of hundreds of families being turned out of their homes for voting honestly, and according to their consciences. Such exhibitions of barbarism in a civilized country—such displays of impiety in a Christian land—such violations of justice

among a people said to be governed by law—would no longer harrow up the feelings of humanity.

The next important result would be the creation of a numerous resident proprietary in every district of Ireland, who would supply the present deficiency of a middle class. With the successful prosecution of agriculture that would necessarily accompany this new system of tenure, villages would spring up in great numbers, filled with mechanics and tradesmen. Neat and comfortable dwellings would be substituted in place of the present mud hovels, and the pest of Ireland, the middlemen, would be swept away. All parties would soon feel the happiness of their position, and as their prosperity could only endure by habits of order and industry, all would unite to put down those dreadful disturbances, which are now so frequent in Ireland. Thus would be saved, the enormous expense of policemen and the oppressive charge of the standing army, at present quartered in the sister kingdom.

Though we are warmly attached to the principles of religious liberty, we cannot shut our eyes to the baneful effects produced on national happiness by the existence of the Roman Catholic Church, and we very much fear that no extensive benefit can accrue to Ireland, so long as the priests retain their present ascendancy. It is an historical fact, that romanism has ever flourished most luxuriantly among a poor and ignorant population, and we firmly believe that the reception of pure doctrines by the Irish people must be preceded by increasing their personal comforts and raising their standard of morality. So long as they are unable to procure the decencies and necessities of existence by their own exertions, they will seek consolation from their priests, who, knowing well the secret of their own power, have no motive to elevate the condition of the people, but desire to keep it stationary, and rather retrograde, than progressive. But if the Guernsey system of tenure were introduced, and the people shown, how they could, through its agency, become independent in feelings and in conduct, they would seize the opportunity of providing for themselves, and cease calling upon the spiritual Hercules. They would gradually, no doubt slowly, release themselves from the ghostly despotism which now enthrals them, and this, after all, is the real religious emancipation that Ireland has so long required.

With a view to raising the standard of Irish morals, repressing nocturnal outrages, and soothing that bitter animosity which the peasantry entertain towards the clergy of the established church, we would earnestly recommend the owners of glebe land to let it out in small parcels, not exceeding thirty acres, to be held on the permanent system of Guernsey tenure, making the rent fluctuate with the price of wheat. If the members of the establishment would thus set the example, and encourage the first workings of the plan by personal advice and superin-

tendence, they would soon become the objects of national gratitude; and the people, ever grateful to their real benefactors, would soon swerve from their allegiance to the Romish priests. It would greatly facilitate the prosperous development of this plan, if the government were to supply each of these new occupiers with an outfit of agricultural tools, taking a registered security on the land, which registry ought to recite and fix the periods in which the tenant should redeem his implements by instalments, which would then become his own property. It is the interest of the clergy to try this system, for, as affairs are now managed, they cannot collect their tithe, so that even if it did not succeed, they would be no worse off than at present; and it is the duty of the government to make the advance we propose, unless they would give us to understand, that it was just to give a bonus of twenty millions to the slave dealers, and that it is unjust to assist the people of Ireland by a temporary loan on solid landed security.

One fact is certain, that Ireland has been misgoverned for centuries, and that all the recent legislation applied to her is mere patchwork. The remedy must be co-extensive with the evil, and must penetrate to its root. If any are so wedded to prejudice, or so sceptical as to doubt the wholesome character and tendency of the Guernsey institutions, let them come over to the island, and verify our statements on the spot. Let those who have resided in Ireland pass a summer in this island, where they can live for half the sum that they spend at a fashionable watering place in England, and contrast the habits and comforts of our native population with those of the sister kingdom: their doubts will then vanish, and every sincere politician, who desires to tranquillize that unfortunate country, will warmly advocate the introduction and establishment of the Guernsey tenure.

THE INFLUENCE OF RELIGION.

SUGGESTED ON READING THE FOLLOWING PASSAGE IN BYRON'S *MANFRED*.

Spirits..... What wouldst thou with us, son of mortals—say!

Manfred..... Forgetfulness.

Spirits..... Of what—of whom—and why?

Manfred..... Of that which is within me.

BYRON.

I.

SPEED thee, dread Winter, to thy snow-piled clime,
Reign grandly terrible upon the throne
Which thy bleak breath has formed, where thou, since Time
His earliest reign began, hast ruled alone,
'Midst scenes where Spring's soft verdure is unknown,
Where ne'er-dissolving ice forms hill and plain:—
When hence thou'rt flown, appallingly sublime,
My grief-wrung breast may feel some calm again,
And *Spring's mellifluous, soothing sounds assuage my pain.

* The *accidental* reiteration of the *s* in this line, proves that the English language, as well as several others, will afford a combination of words the sound of which are imitative of the actions and things described.

II.

Then speed thee hither, joy-ensiroled Spring,
Bring in thy train the nymphs of genial May,
Lead from mild climes, on many coloured wing,
The merry choirs that make all nature gay;
Let Flora spread around her bright array
Of odorous flowers, and bid o'er land and sea
Thy gentlest breezes softest breathings fling:—
Obedient, Spring appears on mead and tree,
But, ah! of sorrow's deadly wounds she heals not me.

III.

Summon me guests—ope wide my dwelling's gates—
Let splendour veil each meaner thing from view—
Produce whate'er for luxury's banquet waits,
The old world's best, the choicest from the new;—
Each source of mirth round pleasure's vot'ries strew—
Shut out dun night, bid countless torches glow,
Let nought be seen that gaiety abates!—
'Tis done! Joy laughs on ev'ry visage now;
But ah! grim Mis'ry still hangs, darkling, on my brow.

IV.

Away—away—from revelry's loud hand!
The sky's bright empress smiles, benign, around
Her sparkling courtiers tremulous round her stand,
And Nature's minstrel-voices cease to sound!—
Launch me a skiff that o'er the waves can bound:
Haply the calmness of the stilly deep
May soothe my soul:—By mildest breezes fanned,
In my light skiff o'er the hushed waves I sweep,—
In vain! The scene has only made my sorrow—weep.

V.

Home—home! to joyless, friendless home again!
Bring me bland music from each native shore:
Italia's languishing voluptuous strain,
That ravishingly thrills the bosom's core,
Germania's richly-swelling tones, that pour
A trance of rapture o'er the sky-winged soul;—
These sounds might ease my sorrows' rankling pain,
These sounds were meet for yonder star-lit goal;
But ah! to me they're like the death bells' saddening toll.

VI.

Hushed—mute to me be music's voice divine;
Let *one* devoted friend sit at my board,
Admit no second guest; bring forth rich wine,
The richest that Lyseus' climes afford,—
Why should we longer joy's sweet essence hoard?
Fill the bright bowl!—relume with Bacchus' flame,
Mirth's dying embers—cease we to repine!
Let soul-fraught converse our attention claim:—
In vain!—Nor wine, nor friends my grief's wild fury tame.

VII.

O Ericina, queen of bliss-fraught love,
Enchantress of the heart, sweet source of joy;
Thou fairest of the dazzling fair above;
On me, on me, thy spell-like arts employ,
Or send thy cunning, love-infusing boy,
To win for me some gentle, pitying heart,
Some eye whose bliss-lit glance might grief remove;
Aye, bid winged Eros with his love-steeped dart,
Heal Grief's corroding wounds, and Love's soft pangs impart.

VIII.

Ah me! ye babblers of each raving thought,
 Ye servile organs of betraying speech!
 Ye've touched those chords whose sounds, with mis'ry fraught,
 Whene'er my startled, harrowed ears they reach,
 Produce such parching fever, as the leech
 With all his snail-paced art can scarce allay;
 Then is my burning brain to madness wrought,
 Murky as night seems Summer's brightest day,
 And howlings, as of Furies, scare my sleep away.

IX.

Return then, Winter, from thy frozen zone,
 Howl, bellow, roar around my hapless head,
 Wield thy chill stunning sceptre from thy throne,
 O'er valley, hill, and sea thy horrors spread;
 Blunt the remembrance of the bliss now fled,
 Freeze up the recollection of my woes,
 And let me stray by foaming waves alone,
 'Mongst surge-lashed cliffs, and dreary wastes of snows;—
 Ah me! bleak Winter's pow'r benumbs not misery's throes.

X.

Will memory cling to sorrow's source for aye?
 Can nought then draw a curtain o'er the past?
 Yes;—one there is, who—come whene'er he may—
 Will swiftly o'er the past and present cast
 His fatal veil,—and him I summon last,
 To mix again this wearied, wretched frame,
 With mould'ring hand amongst its native clay;—
 But no! just Heav'n its great account will claim,
 Life will return, and memory be again the same.

XI.

Avaunt! pale, transient tyrant of the tomb,
 A waking follows our repose with thee
 Which few of earth's frail sons will gladly brave.—
 Lo! 'tis the day of rest—but not for me;—
 And yet I'll wander forth; for it may be
 That this bland Sabbath calm will gently shed
 Its mild composing balm o'er mis'ry's slave:
 Long—long has rest this anguished bosom fled—
 Long years this breast with mis'ry sabbathless now bled.

XII.

And hark! the village bell salutes mine ear,
 Slow mingling with the soft-voiced summer breeze,
 Its tones, unvaried, solemn, deep, and clear:—
 'Tis strange these samely sounds the ear should please!
 Yon simple bell has no sound-varying keys,
 Which ever-changing melodies produce;
 No notes has it like those which draw the tear,
 Soften the heart, let jocund laughter loose,
 Or under love's light yoke the sternest breasts reduce.

XIII.

Behold the villagers in crowds draw nigh
 To worship God in his own hallowed fane;
 And with his progeny, his darkling eye
 Relumed by pure devotion, nought profane,
 Sullyng his thoughts, the few that still remain
 Of his time-silvered locks shining so fair
 In the bright summer-sun—thus, once again,
 Behold the slow-paced, aged sire repair,
 'Midst the throng's reverent greetings, to the house of pray'r.

XIV.

A holy calm is throned on ev'ry brow;
The toils and cares of earth seem all forgot;
The thoughts of all are turned to Heaven now,
Where—their hearts whisper—there's a happier lot:—
Whilst the poor inmate of the lowly cot,
And the proud lord of gorgeous marble halls,
Treading the place where both ere long will—rot,
Enter with solemn mien the sacred walls,
Where bends each knee, each voice to Heav'n submissive calls.

XV.

And I, unconsciously, have entered too,
('Twas years since I had prayed,) but then I prayed;
With calmer breast I rise, and slowly view
The Heav'n-absorbed assembly.—All are staid
And calm; the world to them seems dead,
Whilst like the eagle, soaring hence on high,
Of earth unmindful, cleaves the vaulted blue—
They, too, in spirit, pierce the veiling sky,
And, soaring higher, to God's resplendent presence fly.

XVI.

The bell has ceased—Heaven's delegate appears—
And, list! now rising mellow, full, and slow,
Now bursting on th'assembly's ravished ears
Like thunder-peals, the noble organ's flow,
Of sounds divine makes ev'ry bosom glow
With heav'nly rapture! Slow, in concert, rise
The choir's sweet strains, blent, as they louder grow,
With many voices, wafting to the skies
From earth, and earthly lips, celestial melodies.

XVII.

In touching cadence softly dies away
The sacred harmony. And next, behold
Heaven's minister.—Though formed, like all, of clay,
Yet whilst his lips Jehovah's will unfold,
His stately figure seems of heavenlier mould
Than ours: upon his noble, polished brow
Are stamped those thoughts sublime, which, grand and bold,
He utters; inspiration flashes now
From his keen eye; his lofty form appears to grow.

XVIII.

Insensibly his words have touched my heart,
And o'er my soul a soothing influence cast;
Less poignant seem the wounds from misery's dart:
And though the recollection of the past
Is vivid still, and to the mind clings fast,
I feel that gradually Religion's might
Will banish it for aye.—O Heav'ns! how vast,
Religion! is thy pow'r, how clear thy light!
Illuming sorrow's gloom with radiance sweetly bright.

XIX.

Religion, heav'nly child! to mortals sent
To guide them hence to thy sublime abode,
Where lasting bliss with endless life is blent,
And man's insidious tempters cease to goad:
Thy pow'r can free the soul from sin's cursed load;
Thy touch divine has soothed my long-felt care;
Thy breath like balm, has o'er my sorrows flowed,
And thou alone couldst teach me calm to bear
Life's transient ills, when hope was yielding to despair.

J. D. PIERCEY.

SKETCH OF THE LIFE AND REIGN OF LOUIS XV.

THE annals of the French monarchy exhibit two successive reigns scarcely paralleled in the history of other nations. Louis the Fourteenth reigned seventy-two years, and his great grandson, who succeeded him, fifty-nine. Few princes ever bore the sway of a great empire with such uncommon longevity, and with an equally amazing vicissitude of fortune. These two reigns form one of the most interesting periods of modern history, as the intrigues of their courts and their cabinets, their ambition, their politics, their wars, their treaties, their acquisitions, their conquests, their losses, and their defeats, totally changed the face of Europe. Louis the Fourteenth was the only continental sovereign of his age who was truly powerful, formidable, and magnificent: his pride and ambition awoke the resentment of the monarchs he desired to enslave, and it at last raised against him that famous confederacy of almost all the other princes of Europe, at the head of which was king William the Third, of England. He was so well served, that he baffled for several years all the warlike efforts of this alliance: but having provoked the English by his repeated infidelities, their arms, under the invincible Marlborough, with the Austrians, commanded by the immortal Eugene, rendered the latter part of his life as miserable, as the beginning of it was splendid. His reign, from the year 1702 to 1711, was one continued series of defeats and calamities: and he had the humiliation to see the enemies he had formerly insulted and despised, display their victorious standards on those very places he had acquired by force or artifice. Just as he was reduced, old as he then was, to the desperate resolution of collecting his people, and dying at their head, he was saved by the English withdrawing from their allies, and concluding the peace of Utrecht, in 1713. He survived his deliverance but two years, for he died on the first of September, 1715, having survived all his posterity, but Philip of Anjou, whom in his disasters he had offered to sacrifice to his competitor in the Spanish monarchy, and a sickly infant, his successor to the crown. This child was Louis the Fifteenth, born on the 15th of February, 1710.

The young monarch remained in the hands of women, superintended by the Duchess of Ventadour, a lady of respectable character, till the Duke of Villeroy, his governor, and the Bishop of Frejus, his preceptor, afterwards Cardinal Fleury, shared between them the chief departments of his princely education. The duke was a nobleman of unspotted honour, and a probity proof against all the contagious examples of a court immersed in voluptuousness and effeminacy, wholly influenced by glittering sycophants, whose transient favour was the reward of the vilest adulation and servility. He was grave and decent in his deportment,—a philosopher in the midst of grandeur,—frank, generous, open, affable, and popular; but his merit chiefly consisted in good breeding, and his skill and gracefulness in dancing, fencing, and riding, which the French nobility and gentry considered the most essential accomplishments.

The Bishop of Frejus was better qualified for the spiritual government of his small diocese, than for the education of a prince born to rule over a great empire. He was a prelate of great candour, purity of morals, and moderation, but a shallow politician: a meek, pusillanimous man,

who had never been conversant enough with books and men for the tuition of his royal pupil.

The partiality of Louis the Fourteenth for his natural children might have involved France in a civil war, had not the regency been seized upon by Philip, duke of Orleans, the next legitimate prince of the blood, a man of genius and spirit, bold, and enterprising, but irreligious and dissolute. In 1716, the whole specie of France, in gold and silver, was computed to be about seventeen millions sterling; and though the crown was then bankrupt, being in debt above one hundred millions sterling, yet by forcibly laying hold of all the money in the kingdom, and by arbitrarily raising or lowering the value of coin, in four years time the duke regent of France published a general state of the public debts, by which it appeared that the king scarcely owed three hundred and forty millions of livres. This being done by a national robbery, we can form no other idea but that of despotism in effecting so large a reduction.

Philip the Fifth, king of Spain, had beheld with a jealous eye the regency solely vested in the Duke of Orleans, and the bold steps that he had taken to force the parliament of Paris to recognize his title. Cardinal Alberoni, the Spanish minister, a most enterprising genius, proud, active, and turbulent, capable of forming conspiracies, and revolutionizing empires, but wanting that judgment, sagacity, and perseverance, which command success, planned an unnatural alliance with Charles the Tenth, king of Sweden, whose ambition consisted in dethroning monarchs, and bestowing kingdoms upon his allies. The Swedish hero, unshaken by his defeats, his exile, and his calamities, professed the highest displeasure against George the First, of England, who had entered into a confederacy against him during his absence. His implacable vengeance prompted him to second the project of Alberoni, in restoring the pretender to the English throne. The death of Charles, who was killed by a cannon ball, at the siege of Frederickstadt, soon put an end to the inquietudes of George the First, from that quarter.

The Prince of Cellamare, ambassador from the court of Spain to France, was put under an arrest in his palace, his papers were seized and examined, and the whole conspiracy which had been formed to dethrone king George, and deprive the Duke of Orleans of the regency, was thus discovered. The mutual interest and security of these two princes engaged them to conclude the quadruple alliance between the emperor, England, France, and Holland.

In 1718, the regent of France joined England in a declaration of war against Spain, and the bad success of the Spanish arms in Sicily, and elsewhere, at last induced the king of Spain to sign the quadruple alliance. Thus the Duke of Orleans, with equal vigour and deliberation, surmounted all the obstacles he met with in maintaining the privileges of his birth, and used every precaution that sagacity could suggest for securing himself in the regency.

In the year 1720, John Law, a Scotchman, had erected a company in France, under the name of the Mississippi, which at first promised the deluded people immense wealth, but too soon appeared to be an imposture, which left the greatest part of the nation in ruin and distress.

The minister of France, during the regency, was Cardinal Dubois, the companion of the Duke of Orleans' debaucheries, and the partner of his promiscuous amours. He was raised to the purple from the lowest origin. On account of his convivial licentiousness and secret services,

this apothecary's son became an ecclesiastical prince, living openly in fornication and adultery. Impious, profane, immoral, and abandoned to the last stage of his dissolute existence, he lived despised, and left behind him no other memorial but his vices and his infamy. He had talents, however, for public administration, but his levity and dissipation did not allow him to attend regularly to the affairs of state: he was a votary to pleasure, and an enemy to labour or application.

Louis the Fifteenth was the handsomest youth in France; he had a swarthy complexion, fine features, a gracious aspect, and an interesting physiognomy: the fire and expression of his eyes were striking: he was strong and muscular; had an elegant person, and a majestic and graceful deportment: he was a prince of good sense and sound judgment, not a man of genius and lively imagination. He understood a little Latin and Italian, could read English, and was well read in modern history. What he applied himself to, was the speaking and writing of French with precision, elegance, and propriety, in which he excelled most men of the court. He was averse from study; and close application to foreign politics, and interior administration; naturally prone to vengery, and fond of convivial pleasures in a select company: in all manly exercises he was inferior to none of his courtiers, in grace, dexterity, or skill. The first ten years of his marriage, he was faithful and uxorious, always a polite husband, a tender father, a kind master, and a well meaning, though beguiled, sovereign.

He was crowned at Rheims, the 25th of October, 1722, and the year after declared of age, whilst in his fourteenth year, according to the laws of the kingdom. The regent, on the second of December of that year, was carried off by apoplexy; his enemies have calumniously aspersed his memory with the atrocious design of attempting to poison the young king, and have, by this regicide, paved his way to the throne: but this imputation was never supported even by any circumstances that coincide with that opinion. No prince ever pushed refinement and voluptuousness in sensual pleasures further than he did: his fondness and partiality for the Duchess of Berry, his daughter, a princess of great beauty and professed gallantry, gave occasion to reports very injurious to the reputation of both. He was a man of letters, and the *palais royal*, his residence, was the rendezvous of all the *beaux esprits* of Paris, the fashionable debauchees of the court, and the most beautiful and most shameless women of the capital.

The Duke of Bourbon, a prince of the blood, of moderate talents for public administration, took upon himself the direction of the French councils after the death of the regent. His mistress, Madame de Prie, an artful intriguing woman, had great influence in the civil and military departments, and filled the first offices of both with her creatures. It was the Duke of Bourbon who raised to the throne of France, from indigence and obscurity, the princess Maria Leckzinski, only daughter of Stanislaus, titular king of Poland, who cultivated philosophy and *belles lettres* in his exile, at the court of the Duke of Deux Ponts. The prince, to maintain his credit and importance, had resolved to make a queen who should owe to him her elevation; as the alliance of a princess almost destitute, and void of all personal accomplishments, could bring no acquisition of power to the kingdom, nor tempt a young monarch upon whom the finest women in France began to display their charms. She was humble, modest, religious, and charitable, private virtues

commonly unnoticed by sovereigns. The marriage ceremony was concluded on the 5th of September, 1725, and the young Infanta Mary of Spain, afterwards queen of Portugal, was sent back to her native country, with slight and contempt, after having enjoyed the title of infanta queen for several years. The court of Spain loudly complained of this indignity, but the coolness of the two kings did not come to an open rupture. France even offered its mediation between Spain and Great Britain, and such a reconciliation as treaties could procure, was the consequence.

Hercules de Fleury, bishop of Prejus, and afterwards a cardinal, had, by his meekness and moderation, gained the esteem and confidence of his royal pupil, who showed him his affection and gratitude by raising him to the high post of prime minister. Though his system was entirely pacific, yet the situation of affairs in Europe, upon the death of the king of Poland, embroiled him with the house of Austria. The intention of the French king was to replace his father-in-law, Stanislaus, on the throne of Poland. In this project he failed, through the interposition of the Austrians and Russians: but Stanislaus enjoyed the title of king, and afterwards the revenues of Lorraine during his life. Spain, by the assistance of the British fleet, put the infant Don Carlos into possession of two duchies, and extended the formidable power of the house of Bourbon, whose different branches ruled over France, Spain, the two Sicilies, and the extensive empires of Peru and Mexico. Never did the ministers of two rival kingdoms agree better than Sir Robert Walpole and Cardinal Fleury, and their mutual principles and interests preserved for many years the peace of France and Great Britain.

The king had been, ever since his marriage, an example of conjugal fidelity. He had a son, and a numerous issue of princesses, doomed to spend their days in retirement and celibacy. He began to tire of the possession of a princess, who had nothing to recommend her, but her complaisance and obsequiousness. The Marquis de Negles, of an illustrious house in France, had three daughters, distinguished at court by the appellation of the three graces. Madame de Mailly, created afterwards Duchess of Chateauroux, was a fine stately woman; her person was made to inspire sensual desires, and her beautiful eyes expressed a longing wantonness. Madamé de la Tournelle was a pretty brunette, with all the vivaciousness and coquetry of the French ladies. Madame de Lauraguais was handsome, but she loved her husband, and was virtuous. The enticements of Madame de la Tournelle prevailed on the king, who wished for a new object of amusement, to commit the first infidelity to his queen. He made his addresses to Madame de Lauraguais, who scorned to be the incestuous mistress of her sovereign, and retired from court censured and admired by her rivals and her enemies. Madame de Mailly condemned highly her sister's gothic prejudices and delicacy, and, glad of this discovery, threw herself into the king's way, who had no scruple at breaking through the fences of consanguinity, and gave up his transient fancy for Madame de la Tournelle, impelled by a more lasting passion for the sister. She was publicly declared and worshipped as the reigning mistress,—was soon created a duchess,—had apartments in the royal palaces,—and received the homage of the ladies who envied her, and of the courtiers, who paid her the usual tribute of flattery and servile veneration.

In the year 1739, France may be said to have reached the zenith of her commercial importance: her ports in the channel, on the Mediterranean, and the western ocean, were frequented by all the trading nations of the globe. Favoured by Spain, and dreaded by all the rest of Europe, her fleets covered the seas, but she trusted too much to her own self-importance. Cardinal de Fleury, who then conducted her affairs, took no care to protect her trade by proper naval armaments; so that the greater it was, it became the more valuable prey to the English, when war broke out. M. de Maurepas and M. de Chauvelin were the only men of genius employed in this administration. Maurepas was secretary of state for the naval department; he always met with discouragement from the cardinal, in the repeated efforts which he made towards re-establishing the French marine. He was a minister of great foresight, judgment, application, and sagacity. Chauvelin was a statesman, and a shrewd politician. Both were disgraced, for acting diametrically opposite to the views and system of the cardinal. He had maintained, as long as he could consistently with the French politics and interests, a profound peace with Great Britain, and most of the European powers, and his ministry was the period of the happiness and prosperity of the people; for war, ever so successful, is always the register of human calamities. All the measures of Sir Robert Walpole were not directed to serve the state, but to preserve his own personal power in a time of public tranquillity.

As soon as the court of Spain began to complain of the warlike preparations of Great Britain, as actual hostilities, the Marquis de Fenelon, the French ambassador at the Hague, an able and skilful negotiator, declared, that the king, his master, was obliged by treaties to assist the king of Spain; he dissuaded the Dutch from espousing the cause of England, who promised him an inviolable neutrality. The insolence, cruelty, and rapine, of the Spanish guarda costa, who plundered the English merchants with impunity, forced the English nation to obtain by arms that redress, which the minister had expected from negotiation: the political system of Europe now underwent a new revolution. Not above twenty years before, France and England were combined against Spain; at present, France and Spain were united against England. Those statesmen who look on alliances as a lasting basis of power, will most frequently find themselves fatally mistaken.

The military spirit which prevailed in France, made that restless nation eager for war. The prudence and moderation of Cardinal Fleury were publicly censured, as mean condescension and pusillanimity. Instead of a frugal, sincere, modest, and simple minister, they wished for a bold, turbulent, and enterprising man in his place. They did not consider that, under the pacific cardinal, France had repaired her losses, and enriched herself by commerce; he had left the state to its own natural methods of thriving, and saw it daily assuming its former health and vigour. Indeed the cardinal had exerted himself in the preceding war. France had motives of alliance and revenge with Spain and Sardinia against the house of Austria, and these three powers hoped to divide the spoils of the emperor. A French army had overrun the empire under the conduct of the old Marshal Villars: the Duke of Montemar, the Spanish general, had been equally victorious in the kingdom of Naples; and the emperor Charles the Sixth had received the mortification of seeing himself deprived of the greatest part of Italy, for

having attempted to give a king to Poland. In this war France had made some valuable territorial acquisitions, particularly the duchy of Lorraine, in 1740. The death of the emperor Charles the Sixth gave the French another opportunity of exerting their ambition. Regardless of treaties, they caused the elector of Bavaria to be crowned emperor. The daughter of Charles, the illustrious heiress of his hereditary dominions, saw herself stripped of her inheritance. The young king of Prussia, whose conquests and depredations are among the memorabilia of history, took Silesia, while France, Saxony, and Bavaria, attacked the rest of her dominions.

In this war France depended more upon her numerous armies, than on the skill or experience of her commanders. They who had supported the drooping standards of Louis the Fourteenth in his disasters and calamities, were superannuated, or had been slain on the field of battle. The marshal Duke de Berwick, natural son of king James the Second of England, had met at the siege of Philipsburgh the glorious death he courted. The ostensible general in Germany was the marshal Duke de Belleisle, a man of projects and genius, but very haughty, self-conceited, and fastidious. His brother was more fit for action, but rash, bloody, and impetuous.

The Marshal de Belleisle, by his imprudence and obstinacy, saw unconcerned the flower of his army perish in Bohemia of cold, hunger, and sickness, and was driven out of the kingdom with the remainder of his invalids. The nominal emperor, Charles the Seventh, abandoned by his allies, and stripped of all his dominions, was obliged to fly before the queen of Hungary's forces, and retire to Frankfort, where he lived in indigence and obscurity. He agreed to continue neuter during the remainder of the war, while the French, who began it as allies, supported the burden.

After the battle of Dettingen, and a long series of other losses, the French were at length driven out of Germany, and their country eagerly invaded by the pursuing Austrians, under prince Charles of Lorraine, whose passage of the Rhine was one of the most remarkable events of that war. France was now preserved by the intervention of the king of Prussia, as she had formerly been in the reign of queen Anne by the weakness which prevailed in the English councils, the evil conduct which thwarted the ardour of her troops, and the indolent, ill-judged, and temporizing policy of the Dutch.

The war being at length transferred to the Netherlands, the leadership of the French armies came into the hands of the two celebrated soldiers of fortune, and foreigners, the Marshals Saxe and Lowendhal. It is far from depreciating the characters of these eminent generals to acknowledge, that much of their success and glory depended on the misconduct of their adversaries. The rebellion which broke out in Scotland, turned the scale totally in favour of France.

The battle of Fontenoy was one of the bloodiest fought at this time. The prodigies of valour that were exhibited in this action by the English infantry, who seemed to act under no other guidance than the impulse of their native and mechanical courage, was the astonishment of mankind. Louis the Fifteenth, who, like his two last royal progenitors, was not a warrior, saw the battle from an eminence. In the mean time, the titular emperor Charles the Seventh, who was the cause or pretence of beginning the war, died of a broken heart; and the grand duke of

Tuscany, husband to the queen of Hungary, was declared emperor upon his decease.

The French had reduced almost the whole of the Netherlands to their obedience: the Dutch saw themselves stripped of all those strong towns which defended their dominions from invasion: Italy felt all the horrors of war, and saw foreigners contending with each other for her soil; and the French and Spaniards lost superb armies, notwithstanding the excellent conduct of the prince of Conti, their general.

The victories of Roucoux and La Feldt, though they procured for the French no real advantage, and cost them a greater number of lives than their enemies, inspired the allies with a greater degree of distrust in their generals; and the taking of Bergen-op-Zoom by M. de Lowendahl, so eminent in conducting sieges, threw them into despair. The chevalier Belleisle, however, was defeated in Piedmont at the head of thirty-four thousand men, and slain; Anson and Warren attacked and took nine French men of war; and soon afterwards, Commodore Fox took above forty French ships, having cargoes from St. Domingo. These disasters of the French by sea, were followed by another defeat, in which Admiral Hawke took seven ships of the line, and several frigates.

This variety of success served to make all the powers at war, heartily desirous of peace. The king of France was sensible that, after conquest, was the most advantageous opportunity of proposing terms of peace; and even expressed his desire of general tranquillity in a personal conversation with Sir John Ligonier, who had been made prisoner at the battle of Lafeldt. The bad success of his admirals at sea, his general's misfortunes in Italy, the frequent bankruptcies of his subjects, the election of a stadtholder in Holland, who opposed his interests, his views in Germany entirely frustrated by the elevation of the Duke of Tuscany to the empire; all these contributed to make him weary of the war. An accommodation was therefore resolved upon, and the contending powers agreed to come to a congress at Aix-la-Chapelle, where the treaty, which restored an interval of peace to Europe, was concluded on the 7th October, 1747; a striking instance of the superiority of the French over the English in negotiations. By this it was agreed, that all conquests should be mutually restored; that the duchies of Parma and Placentia should be ceded to Don Philip; and that the fortifications of Dunkirk, towards the sea, should be demolished. But the most displeasing and disgraceful article to the English, was, that the king of Great Britain should send two persons of rank and distinction to France, as hostages, until restitution should be made of all the conquests which England possessed in the East or West Indies. This was a mortifying stipulation; but no mention was made of the searching English ships in the American seas, upon which the war originally began.

This treaty was, like that of Utrecht, the triumph of French craft and policy, as the honour of the English nation was forgotten, and its interests left undetermined.

This peace might in every respect be termed only a temporary cessation from general hostilities, as the French and English still carried on hostile operations in the East and West Indies; both sides equally culpable, yet each complaining of the infraction. It was a respite the French wished for, to encroach, without molestation, on the back settle-

ments of the English in America, to restore their marine, and re-establish the national credit. They fomented the jealousy and suspicions of the Indians, a savage and fierce people, against the new settlement of Halifax, built and inhabited by hardy and veteran troops, to intimidate the neighbouring French, and repress their encroachments. Commissaries were appointed to meet at Paris, and compromise the disputes about the limits left unsettled at the late peace; but these conferences were rendered abortive by mutual cavillings, and all the arts of invasion.

The succeeding war may be considered as the continuance of the preceding; it was kindling up in Europe, Asia, and America, as it had not been effectually extinguished by the definitive treaty of Aix-la-Chapelle. The French and English had never ceased hostilities upon the coast of Malabar. The limits of Nova Scotia were never precisely determined; and southward, the boundaries of the other colonies were left equally uncertain. Those two powers, who had no other right to the countries in dispute, but that of invasion, had not equity enough to agree upon sharing the spoil. The French, who had been long settled in the back parts of Nova Scotia, continually spirited up the Indians to repel the English, acknowledged as the rightful possessors of that country, ever since the treaty of Utrecht; so that some of them were actually murdered or sold to the French at Louisbourg. France and England were negotiating, accusing, and destroying each other, all at one time. The French claimed the whole adjacent country of the river Mississippi, towards New Mexico, on the east, quite to the Apalachian mountains on the west, and driving away several British subjects, who had settled beyond these mountains, built such forts as could command the whole country around.

Their intention was to enclose the English on every side, and secure to themselves the exclusive trade with the natives of the country. The French, like the natives, were hardy, enterprising, and poor: they declared war against the English colonists, who were rich, frugal, and laborious, and whose spoils they were consequently the more desirous to share. Both parties seemed to have imbibed a ferocity of manners from the savage people with whom they fought. The Generals Monckton and Johnson were victorious in some expeditions; but Braddock's skill and courage were conducive to his overthrow: an enthusiast to the discipline of the field, he wanted to bring the spirit of a German campaign into the wilds of Niagara: he fell into an ambuscade on his march to Fort du Quesne, not far from the spot where General Washington had been defeated the year before. He was himself killed by a musket shot through the lungs, and about seven hundred men were slain in this unhappy surprise.

All the artillery, ammunition, and baggage of the army, with the generals' cabinet of letters, fell into the hands of the French.

In this rapid sketch it would be quite impossible to enter into the minute details, and particular events of this war. It may be sufficient to observe, that the French, though successful in the commencement, were very sensible that they could not long hold their acquisitions against such a superiority as the English were possessed of at sea. Being therefore apprized that a naval war must, in the end, turn out to their disadvantage, they declared that they would revenge the injuries they had sustained in their colonies, or by sea, upon the king of England's territories in Germany, which they hoped would divide the British

forces, and draw the finances of England by heavy subsidies. The kings of Great Britain and Prussia, wished to keep the enemy out of Germany. From the similitude of their intentions, these two monarchs were induced to unite their interests, and come to an agreement to assist each other mutually, in keeping all foreign forces out of the empire. Though this alliance astonished Europe, it soon produced another connexion more extraordinary. The Austrian queen applied to France, and to procure the friendship of that power, gave up her barrier in the Netherlands, which England had been for ages acquiring with its blood and treasure: by this extraordinary revolution, the whole political system of Europe assumed a new face, and it clearly shews that events guide the politician.

Count d'Argenson, who had been a long while the leading minister in France, had given the first idea of this alliance, but his advice had been disregarded; he was a good financier, a man of projects, and a votary to pleasure. He had for a long time the principal share of the confidence of his master, which he lost for interfering in the king's inglorious amours.

Cardinal Berpis, whose wit, poetical vein, and lively imagination, had procured him admittance to the ladies' toilets, and secret parties, had been a great promoter of this design.

From an insignificant and frivolous courtier, he had been raised to the purple, distinguished by a most honourable embassy, and became the fashionable minister, by the growing influence of the ambitious and intriguing mistress, who, with an unprecedented sway, arbitrary will, and an insatiable thirst of wealth and power, directed the councils of an infatuated sovereign,—appointed and displaced at pleasure ministers and generals,—and reduced the first nobility of the kingdom to the humiliation of paying to her the most servile homage. This was Madame Le Normand d'Etoiles, wife of an ignoble financier, lately created Marchioness of Pompadour. She was, in the dawn of her favour, a pretty woman, and as ambition, not love, was her predominant passion, she winked at the king's sensual gratifications with other women, provided they did not presume to aspire to her dominion: by this policy she preserved over the passive monarch an irresistible ascendancy, and from a beloved sovereign made him despicable and odious to his people. All the military operations were planned and executed by her creatures in this expensive war, and the interior policy managed by her deputies.

Even the proud, imperious, and enterprising Duke de Choiseul, was obliged to kneel down before this favourite idol, and durst not fill any great office, civil or military, without her approbation. He detested her, as his superior in authority, and flattered her vanity by the meanest condescensions, when his interest coincided with his obsequiousness. Choiseul became a popular minister, for saving, at the peace, the nation from total ruin, and for siding with the parliament. He always professed an open enmity to the English; still more exasperated by their successes. He had some abilities as a statesman, some virtues as a citizen, and displayed more courage and fortitude in his disgrace and his exile, than most men of his elevated station, when doomed to a private life and retirement. With respect to the conduct of the French generals in this war, the prince of Clermont, more fit to preside at convivial revels and female coteries, than to command armies, lost the field

and his reputation at Crevelt. The victory of Minden followed; but laurels seemed all that England gained from these two victories; something was lost on either side, and no advantage gained. The Marshals d'Estrées and Broglie, and the Generals d'Armentieres, Chabot, and De May, were the only officers of skill and conduct who distinguished themselves in Germany, and supported the honour of their nation, among the commanders appointed by the caprice and favour of Madame de Pompadour. Indeed, Marshal Contades, though unsuccessful at Minden, had proved his military knowledge by his battle array, but prince Soubise, his colleague, with all the social virtues, and a courage that no danger could dismay, unhappily left to fortune the success he was unable to command. Had Count Maillebois restrained his fire and obstinacy, he might have shone at the head of armies.

The court of Versailles, having exhausted all its resources and artifices, was obliged to seek for peace on any terms. France sent to London M. Bussy, a man skilled in all the cavillings and sophistry unbecoming an honourable negotiator. He soon gave the English ministry sufficient reasons to be dissatisfied with his proceedings, and this attempt at a treaty proved ineffectual. As Spain had no part in the war, Mr. Pitt justly considered that they had no right to interfere in any treaty of peace; and regarded this interposition as a confederacy between France and Spain, to support each other's interests. He had received intelligence of a secret alliance between the two courts, and Spain had actually entered into a family compact with France, by which they engaged to carry on a war in conjunction. The union of France and Spain did not obstruct the rapid progress of the English arms; Martinique was conquered by Admiral Rodney and General Monckton: St. Lucia, Grenada, and all the neutral islands, submitted to the English dominion. The Havannah, the key of all the Spanish possessions in South America, after a noble resistance, submitted to the conquerors. Now that the French were humbled on every side, left without trade, credit, and shipping, the source of Spanish opulence interrupted, nothing remained for them but to sue for peace, upon such terms as the English were pleased to grant. A negotiation was once more begun: the Duke of Bedford was sent over to Paris, and the Duke de Nivernois, the most amiable nobleman in France, who cultivated letters and all the social pleasures, amidst negotiations and the arduous discussions of politics, came to London; and at length the definitive treaty was signed at Paris, by the Duke of Bedford, the Duke de Praslin, and the Marquis de Grimaldi, dated 19th February, 1763. In order to purchase peace, the French gave up Canada, their right to the neutral islands, the fort of Senegal, and their privilege of fishing on the coasts of Newfoundland and the gulph of St. Lawrence, but at a certain distance from the shore. Spain gave up on her part the extensive province of Florida; so that the English empire in America was more extensive than even that of Rome in the zenith of its power and grandeur.

Previously to the commencement of the late war, the disputes between the parliament and clergy, particularly the archbishop of Paris, having broken out afresh, on the subject of the bull unigenitus, the king, joining with the latter, banished the parliament of Paris to Pontoise, a small town six leagues distant from the capital; and afterwards, to hold the balance even, he banished the archbishop, and the bishops of Orleans and Troyes to their country seats, for persisting in their schism.

About the same time he founded the military school, the noblest monument of his reign.

Amidst these commotions, which were then attended with the dangers of a foreign war, all France was involved in a general consternation, by an attempt on the king's life, by Robert Francis Damiens, a religious enthusiast, on the 5th January, 1757, as his majesty was going to his coach at Versailles, in presence of his son, and surrounded by his guards. The pen-knife entered under the fifth rib. The king, finding himself wounded, turned round, and seeing a stranger standing close by him, with his hat on, and staring wildly, cried out, "That is the man who has wounded me, secure him, but do him no hurt." The wound proved to be very slight. It appeared, on the criminal's examination, that the refusal of the sacraments, and the banishment of the parliament, had turned his brain, and, indeed, rendered him rather an object of compassion or imprisonment, than tortures, which, however, were most unfeelingly inflicted on this wretched madman, as they had been on Clement and Ravallac in preceding reigns. On his recovery, Louis again banished and recalled archbishop Beaumont; and while the war continued, internal peace seemed, for a time, restored.

In December, 1764, the parliament of Paris registered an edict, by which the king dissolved the society of jesuits for ever. His only son, Louis, Dauphin of France, died at Fontainebleau, on the 20th December, 1765, aged thirty-six; as did the queen, in June, 1768, aged sixty-five.

It seems as if the king of France had lost his intellect and sunk into dotage long before his death, by the choice of his ministers, and the pernicious measures he permitted them to pursue. The French nation judged from his unconcern at the death of Madame de Pompadour, that he was glad to be rid of an imperious and insolent mistress, who began by sharing his royalty, and finished by wholly engrossing it to herself. Yet the coquetry, wantonness, and levity of Madame de Barry, who, by dint of art, attempted to supply the decay of nature, ensnared this weak and unguarded monarch, who could not please her as a man. It was by her malignant insinuations, that the Duke Choiseul was disgraced, and that the Duke d'Aiguillon, the most unpopular nobleman in France, who was impeached and convicted by a sovereign court of judicature of the most odious acts of oppression, was not only screened from justice and exemplary punishment, but nominated prime minister, and admitted to the king's confidence and familiarity, to the scandal and universal reproach of the nation.

The two ministers of the finances during this reign, who had amused and deceived the people, by whom they were laughed at for their extravagant and ridiculous projects, were M. de Silhouette and the Abbé Terray, both lost in vain, idle, and frivolous speculations. The last did not blush to own, in 1769, that the king was insolvent; and he pursued measures very similar to those practised by the regent to recruit the royal finances.

This monarch was prompted to exert his prerogative beyond even the attempts of Louis the Fourteenth, when he was in the meridian of his ostentatious power. The suppression of the jesuits, whose intrigues, wealth, and politics, aimed at the supremacy of christendom, was certainly a bold stroke of authority. Another, but a most odious and unpopular act of royalty, was the dissolution of the parliaments of the kingdom, and the creation of new courts of judicature in their place.

Though the parliaments of France had assumed to themselves a share of the legislative power, which they never had in their institution, they were beheld as the guardians of the people, and made a noble stand for their liberty and property against the oppressive edicts of the crown. Louis the Fourteenth, in the height of his displeasure exiled them for a time, but he never carried his resentment further.

Louis the Fifteenth encouraged by his royal munificence men of letters and artists, and sometimes admitted them to his presence; not that he was a judge of literary merits and the fine arts, but he was told that the glory of a king chiefly consisted in the princely rewards and distinction granted to merit. He died unlamented by a loyal people, whom he had too long injured and impoverished. He was attacked in his old age by the small pox, which had proved peculiarly fatal to his family; and, after a few days illness, he expired at Versailles on the 10th May, 1774, in the sixty-fourth year of his age, and the fifty-ninth from his accession to the throne.

WACE, THE JERSEY POET.

ROBERT WACE, otherwise called Vace, Vaice, Gace, Gasse, and also Uistace, all which names appear to be diminutives or contractions of Eustache, was born in the island of Jersey, at the commencement of the twelfth century, and died in England, about the year 1184. His real Christian name is to this day doubtful. Wace himself, though he frequently acknowledges the authorship of his poems, merely calls himself "Maistre Wace." Du Moulin simply calls him "Wace." Du Cange names him "Mathew." Huet appears to be the first who styled him Robert. However this may be, it is certain that our author commenced his education at Caen, in which town, since that period, a famous college has always existed. After having completed the usual studies common to the age in which he lived, Wace made a tour of all the continental territories then under the dominion of the king of France, after which he fixed his residence at Caen, where Henry the First usually held his court. In the year 1160, he finished the *Roman de Rou*, or Romance of the Normans, and dedicated it to Henry the Second, who presented him to a prebendal stall in the cathedral of Bayeux, of which Philip d'Harcourt was then bishop. It appears, by the ancient cartularies in the church, that Wace held this preferment for nineteen years.

In his writings, our author calls himself Maistre Wace, a reading clerk of Caen, from which Huet and Hermant have inferred that he was clerk of the private chapel of Henry the Second. He flourished during the reigns of the three Henries, all of whom were kings of England and dukes of Normandy. While he thanks them for their patronage, he still complains that they had promised him more than they had performed, and indeed he bitterly resents the forfeited pledges of the Mæcanases of Normandy:

De dons à de prameses chascun d'els m'asoage;*
Mez besuing vient, qui tost sigle† et tost nage,
E suvent me fet metre li denier el gage.

Wace was a voluminous writer, and the greatest proportion of his

* Me calme, me soulage.

† Sillonner, fendre les eaux.

works was devoted to celebrate the achievements of his countrymen, the Normans. In the narrative of facts anterior to his own age, he has chiefly followed Dudon de Saint Quentin and Guillaume de Jumièges : but he adds many curious details, is much less superstitious than his predecessors, and possessed over them the immeasurable advantage of composing in the very dialect spoken by his heroes. Convinced himself of the truth of all that he wrote, if he ever deceives his readers, it is not intentionally, as he declares in his introduction :

Jo ne dis mie fable, ne jo ne voll fabler

And further on, when he speaks of the battle of Hastings, he adds :

Quer jo oï dire à mon pere :
Bien m'en sovint, mez varlet ere.*

Wace has neither the elegance nor the delicacy of Marie de France, whom he preceded by about a century ; but he excelled all his contemporaries in graphic description, and his poems abound in lively imagery, in apt metaphor, and occasionally with deep philosophy. As a brief specimen of the terseness of his style, and the thoughtful turn of his mind, we subjoin the following extract from his introduction to the *Roman de Rou*.

Tote rien † se torne en déclin ;
Tout chiet, ‡ tout muert, tout vait à fin ;
Homs muert, fer use, fust § porrist,
Tur font, mur chiet, rose flaistris,
Cheval tresbusche, drap viesist :
Tout ovre fet od mainz perist. ||

The recognized works of Wace are the following : First. "*Le Brut d'Angleterre*." This poem, which derives its name from a fabulous Brutus imagined to have been the great grandson of Æneas, and king of Great Britain, was first composed in the dialect of Lower Brittany, from which it was translated into Latin, by Geoffrey of Monmouth. On the strength of this translation, Wace composed his poem, which consists of nearly eighteen hundred lines of octo-syllabic verse. In the royal library of France there are five of these manuscripts, three of which were transcribed in the thirteenth century, and two in the fifteenth. It is the first authentic work which contains the history of the origin of Arthur's round table, of his festivals, his tournaments, and his knights. It used to be publicly read at the courts of the kings of England. The date of the composition of this romance is indicated by the following verses, which occur nearly at the close, and thus fix it in the year 1155 :

Pois ke Dex incarnation
Prist por nostre rédemption,
M. C. L. et cinq ans
Fist mestre Wace cest romanz.

Secondly. "*The Roman de Rou*-(*Rollo*) et des ducs de Normandie," is the most important of the productions of Wace. Numerous authors have cited passages from this long poem, which is composed of different parts or sections, arranged under different heads, in consequence of which

* Mais j'étais adolescent. † Toute chose. ‡ Bois. § Tout s'écroule.

|| This beautiful passage may thus be rendered literally into modern French. Tout décline, tout meurt, tout va à fin ; l'homme meurt, le fer use, le bois pourrit, la tour s'écroule, le mur tombe, la rose flétrit ; cheval bronche, drap vieillit ; tout ce qui est fait de main périt.

some editors and annotators have published the separate branches as distinct works ; but in this respect they have fallen into an error.

The first section, written in lines of eight syllables, and apparently intended as an introduction, contains the history of the first irruptions of the Normans into England and France ; the second, in alexandrine verse, the history of Rou, or Rollo ; the third, in the same metre, the history of William Long Sword and of Richard the First, his son ; the fourth, written in the same metre as the first, and alone longer than all the three preceding ones together, the close of the history of Richard the First, and that of his successors, down to A. D. 1106, being the sixth year of the reign of Henry the First.

This poem contains sixteen thousand five hundred and forty-seven verses, and not twenty thousand, as many, who have not taken the trouble to count them, have erroneously stated. It is the most curious literary monument that remains of the history and language of the Normans under the dominion of their dukes. A great number of the chapters of the "Chroniques de Normandie," printed at Rouen in 1487, by Guillaume Le Talleur, are merely passages from the Roman de Rou, rendered into prose by an unknown compiler, towards the end of the thirteenth century, with additions, and such corrections of style as accorded with the current orthography.

Thirdly. A "Chronique ascendante des Ducs de Normandie," commencing with Henry the Second and retrograding to Rollo. This little poem, the manuscripts of which are rare,* is composed of three hundred and fourteen alexandrine verses. It is posterior to the year 1173, because it mentions the troubles that the king of France excited among the Normans in the course of that same year, in arming the sons of Henry against their father. It commences thus :

Mil chent é soisante ans ont de tems è d'espace
Pois ke Dex en la Virge descendi par sa grace,
Quant un clerc de Caem, qui ot nom mestre Wace,
S'entremist de l'estoire de Rou è de s'etrace.†

The following passage describes in vivid colours the bitter hatred that existed between the French and the Normans :

Les boisdies ; de France ne sont mie à céler
Joz tems voudrent Francheiz Normanz deshériter,
E toz tems se penerent d'els veindre è d'els grever ;
E quant Francheiz nes poient par force sormonter.
Par plusors tricerries les solent agraver.
Fortigniez sont, dont l'en souloit chanter.
Faus sont è sodulanz, ne nus ne s'i deit fier :
D'avoir sont convoitons, n'en nes peust avonder ; §
De doner sont escars è demandent aver. ||
Es estoires peut l'en et ès livres trover
Qu'onques Francheiz ne voudrent as Normanz fei porter,
Ne por fiance fere, ne por sur sainz jurer ;
Ne porquant** bien les saivent Normanz refrener,
Non mie par traisons, mez par grant colpe doner.
Si li Francheiz poient lor penser achever,
Ja li rei d'Angleterre n'arait rien de chà mer,
A honte l'en feroient s'il poient passer.
Al siege de Roem le kuiderent gaber,
S'il le péussent prendre è par force enz entrer,
Mez quand Henri i vint, n'li oserent ester.††

* It has been printed in the first volume of the "Mémoires de la Société des Antiquaires de la Normandie," page 444. † De son extraction, de sa race.

‡ Tromperies. § Rassaier. || Bien, Richesse. ** Et pourtant. †† Demeurer.

Fourthly. "L'establisement de la feste de la Conception, dicte la feste as Normands." Wace is the first author who has written about this festival in the vulgar idiom, or patois, of the country, and his work gave rise to the palinodies or canticles on the miraculous conception, called by the different titles of the "Conception de Rouen, de Caen, et de Dieppe." The royal library of France possesses three manuscripts of this work, which vary considerably from each other in different parts of the text.

Fifthly. "La Vie de Saint Nicolas," a poem in verses of eight syllables, of which the learned Hickes published several extracts in his "*Thesaurus litteraturæ septentrionalis*." The late Mr. Douce, a learned English antiquarian and archeologist, possessed a manuscript copy of this work.

Wace tells us, in different of his writings, that he had composed several *lais* and *servantois*; but none have been preserved. The chief occupation of his life was to compose metrical romances, so called because they were written in the perverted roman or vulgar dialect.

Lunge est la geste des Normanz
Et à metre est greive en Romanz.
Si l'en demande ki ço dist,
Ki cette estoire en romanz mist;
Jo di è dirai ke' jo sui
Wace, de l'isle de Gersui,
Ki est en mer vers occident,
Al lieu* de Normandie apent
En l'isle de Gersui fu nez,
A Caem fu petis portez,
Iloec fu à lettres mis,
Puis fu lunge en France apris.
Quant de France jo repairai †
A Caem lunge conversai; ‡
De Romanz fere m'entremis,
Mult en escriis et mult en fis
Par Dieu aie e par li Rei,
Altre fors li § servir ne dei.
Me fut donée, Dex il rende,
A Baieues une provende; ||
Del rei Henri Segund vos di,
Nevon Henri, pere Henri.

Many other works have been erroneously attributed to his authorship, such as the "Roman du Chevalier au Lion," which was written by Chrestien de Troyes, and the "Roman d'Alexandrie," composed in the twelfth century, by Alexandre de Bernays. Gilles-André de la Roque, in his "Histoire de la Maison d'Harcourt," ascribes to him a short poem on the origin of this illustrious family, composed about the middle of the fourteenth century, by an anonymous hand.

There exists in the royal library of France, under number 6987, a vellum manuscript, in large folio, containing a collection of old poems, written in two, three, and four columns. The fourth part of the *Roman de Rou* occupies the pages from 219 to 249. The writing, easy to read, is of the character used in the fourteenth century. The orthography is modernized, and assimilated to the age in which the copyist lived. This manuscript is not the least valuable of the old literary records of France. In the same library, under number 7567, is a complete manuscript of *Rou*, which was transcribed at the commencement of the eighteenth century. It consists of two hundred and ten sheets of paper, small folio,

* Au lieu. † Je revins. ‡ Demeurai. § Excepté lui. || Prebende.

covered with paste board, or what the French call "*en carton*," but it is not bound. This copy belonged to the learned Lancelot, whose account of the Tapestry of Bayeux we translated and published in former numbers of this Magazine. He did not make any corrections in the text. Throughout, the style and the orthography are modernized, but it is full of the grossest inaccuracies. It was transcribed from another manuscript of the sixteenth or seventeenth century, which had been the property of Messrs. Bigot, as it is stated in the catalogue of their library, under the title of "*Le Roumanz de Rou et des Ducs de Normandie*," marked number 155, among the manuscripts in folio. At the commencement of the eighteenth century, in the year 1729, this last named document, which has been copied by various hands, was gnawed and damaged by rats. The fragments are full of faults; but it contains many curious variations from the genuine text, especially some anecdotes on the amours of Herleve, or Arletta, the mother of William the conqueror.

Among the manuscripts of Sainte Palaye, which are deposited in the library of the French arsenal, there is a complete copy of the *Roman de Rou*, entirely written by himself, with marginal notes, illustrating the most difficult passages of the text. This copy was made from that of André Duchesne, whose handwriting was nearly illegible: on this account, Sainte Palaye committed many unintentional errors. He, indeed, confesses that he was frequently obliged to guess at the sense. Duchesne himself had written, effaced, and rewritten, almost every word four times. He borrowed the text from an old manuscript, which had belonged to M. Du Monstier, but which is now lost. It finishes, as well as that of Lancelot, at the return of Duke Robert from the Holy Land. The "*Chronique ascendante des Ducs de Normandie*" is inserted in this copy, after the account of the peace concluded between Richard and Lothaire. At the conclusion of the *Roman de Rou*, Duchesne has given some account of the manuscript of M. de Peiresc, an advocate in the parliament of Provence, which contains a translation of different pieces, the last of which is entitled: "*Histoire de li Normant, compilée par un moine de Mont Cassin, et desdiée à Désidère, abbé du dit monastère*." This history, divided into eight books, seems to have been rendered into French in the twelfth century. The manuscript of Duchesne is in the royal library of Paris, marked in the catalogue number 20.

The British Museum contains an excellent manuscript of the fourth part of the *Roman de Rou*. The late keeper of the archives of the Tower of London thought that it belonged to the close of the twelfth century, or to the first years of the thirteenth. The orthography is quite in the English style, and is precisely the same as that of the poems of Marie de France, of which M. de Roquefort published a good edition in 1820. Unfortunately the damp has injured this valuable document, and created many considerable gaps. The title page, "*Liber abbatiæ Sancti Martini de Bello*," clearly proves that it had been taken from Battle Abbey, founded by the Conqueror to commemorate his victory at Hastings; and this circumstance adds much to its authenticity. It may with reason be supposed, that it was deposited among the archives of the abbey as an historical document, either by the author or by the monarch, who ordered Wace to compose it. What renders the London manuscript more precious than any to be found in any of the French or Norman records, is, that it concludes with a passage of some length, which entirely relates to the town of Caen, and which is not to be found in the copies belonging to the royal library of Paris.

The writings of Wace have been illustrated by many commentators. The Abbé de la Rue published in London, in 1794, being then an emigrant, a very interesting dissertation on the life and works of Robert Wace, inserted in the twelfth volume of the *Archæologia*.

M. de Brequigny composed an essay on the manuscripts of the *Roman de Rou*, which was printed in the fifth volume of "*Notices et Extraits des Manuscrits de la Bibliothèque du Roi*." It contains many excellent remarks; but this author, who had not seen the manuscript in the British Museum, asserts too hastily that the text of this poem has never been changed, though, in a few lines afterwards, he himself gives a proof to the contrary, in citing such verses as the following :

As tal ivas se sont couvrir et moller.

The true reading is, as talevas, which was a sort of buckler. It is of the more importance to correct this error, as M. de Roquefort, whose name is an authority, says, in his "*Mémoire sur l'Etat de la Poésie Française dans les douzième et treizième siècles*," that the essay of M. de Brequigny on the *Roman de Rou* is so complete and satisfactory, as to render all further criticism superfluous.

In the thirteenth volume of the "*Histoire Littéraire de France*" is a notice on Robert Wace and his writings, composed by M. Brial, whose antiquarian researches have done him the highest honour.

Dom Bouquet has published a long fragment from the *Roman de Rou* in his "*Recueil des Historiens de France*." M. Moisant, of Caen, published the prospectus of a new edition of this poem, but the first revolution compelled him to abandon his project, and his materials have been lost. Professor Brændstend, a Dane of profound erudition, has extracted, from Rou, the passages which narrate the first invasions of France by his countrymen; and, in 1817 and 1818, he published at Copenhagen two sheets containing these excerpts, translated into Danish verse. This work, rare in France, still rarer in England, was well received in Denmark and Sweden.

In 1823, M. Capefigue wrote a new essay on the *Roman de Rou* at the end of his "*Essai sur les invasions maritimes des Normands dans les Gaules*."

In 1826, M. Depping, in his "*Histoire des Expéditions Maritimes des Normands*," published some fragments from the *Roman de Rou*, and showed himself well qualified to appreciate the character of Wace, and the historical value of his metrical romances.

In 1827, a beautiful edition of the *Roman de Rou* was published at Rouen, in two octavo volumes, with the notes and comments of M. Frederick Pluquet, of Bayeux, who had devoted many years of a long and studious life to collate the various texts of all the manuscript copies in existence. The publisher of this edition, M. Edouard, of Rouen, availed himself of the literary assistance of many other erudite antiquarians: among others, he received much valuable aid from M. Meon, the editor of the "*Roman de la Rose*," and the "*Roman du Renart*;" also, he derived great assistance from M. Langlois, M. Henault, M. Auguste Le Prevost, gentlemen well known in the republic of letters. In order to render the typography as accurate as possible, the printing was confided to M. Crapelet, of Paris, the rival of Didot.

In subsequent numbers of this Magazine we propose to review the whole of the *Roman de Rou*, being convinced that no labour of ours will give more satisfaction to our friends in the Channel Islands than that

which is devoted to elucidate their ancient history; while such articles will not fail to be acceptable to general readers, who seek in vain, among the popular histories of England, for the origin of the founders of the monarchy.

ANGLO-NORMAN INSTITUTIONS.—No 3.

We shall endeavour in this article to explain the system of judicial administration during the Anglo-Norman era, and point out the difference of rank and authority among the judges of that ancient period of our history. We are indebted for many of the following particulars to the learned Spelman.

The name of justiciary or justice was introduced into England by the Normans, who substituted that title in the place of alderman, or elderman, which was used among the Anglo-Saxons. These latter recognized five separate classes of aldermen: the alderman of England, the alderman of the king, the alderman of shires, the alderman of hundreds, and the alderman of the free burghs. In the Norman legal nomenclature they were termed justiciaries or justices of England, justices of the king, justices of counties, justices of hundreds, and justices of tenths. As these different denominations no longer obtain in modern usage, it will be interesting to explain their early signification: and, indeed, without this assistance, the students of the Channel Islands who desire to make themselves acquainted with the jurisprudence of their ancestors, might have some difficulty to understand the functions and prerogatives of the grand justiciary.

To simplify our exposition of this subject, we shall commence by specifying the rights and duties of each inferior judge, ascending in rotation from the lowest to the highest, because every superior possessed all the authority exercised by each of his subordinates, in accordance with the rule that *omne majus in se continet minorem*.

The justice of the free burghs or tenths was he who, among ten heads of families, was selected to preside over their deliberations, in the character of president. He was sometimes called the principal free burgess.

The justice of the hundred was the lord of the manor, and he was otherwise named centurion, centenier, and alderman. All the free burgesses of the hundred were subject to his rule; and he took judicial cognizance of all important cases, which they could not, or would not, settle amicably among themselves.

The justice of the county was the count or earl, and consequently the chief judge over all who resided in his district: for, as in our days judge and justiciary are equivalent terms, so, in former times, justice and earl were synonymous expressions.

That the earl meant a judge, many royal writs abundantly prove: they were all addressed to the viscount, that he might see justice done to the plaintiff. In the first periods, these writs were directed to the earl; but when the kings took the administration of counties into their own hands, they deputed due powers to the vicar of the earls, called viscounts, vice comitis, and the deputy thus became the acting justice of the county.

The justice of the king was so styled, because the king gave him a special commission to take cognizance of all matters which the inferior justices were incompetent to decide; such as, denials of justice; tyrannical

or illegal conduct in the government of counties : personal crimes or misdemeanours committed by the earls, viscounts, or inferior justices : all causes between the barons and the great vassals of the crown. Another reason why this functionary was styled the justice of the king is, that he was president of the judicial court held by the king in his palace, and because, moreover, he had no power of jurisdiction except on such occasions when he received a specific authority from the sovereign.

The justice of England was at the head of the legal department, and excelled in dignity all other magistrates. In his individual person were concentrated all the functions discharged by the present four principal justiciaries of England ; to wit, the chief justice of the court of King's Bench, in which are held all criminal causes ; the chief justice of the common pleas, in which civil causes are heard, and formerly all those which concerned the great vassals of the crown : the chief baron of the exchequer, in which all rents, dues, &c., claimed by the crown were settled ; and the lord keeper or chancellor who is the legal guardian of all orphans and minors.

This supreme magistrate often commanded the army, on critical emergencies : but he still retained his authority over the tribunals of justice ; for the great lords and barons, whether so styled from their offices, or their tenures, or by royal patent, could only, in reference to their rights and privileges, be tried by the justice of England. Civil pleas, as well as those of the crown, were always held before the king in his palace, or in that of the chief justice and his assistants, and he pronounced sentence both in civil and criminal causes : this practice continued in force till the seventeenth year of the reign of John, or, according to some authorities, till the ninth year of the reign of Henry the Third. At this period, the place in which the sovereign jurisdiction was exercised was fixed, and there the judges were obliged to reside ; but the grand justiciary, being obliged to accompany the king whithersoever he went, was compelled to entrust the administration sometimes of one county, sometimes of another, to inferior judges : henceforward he ceased to be styled the justice of England ; but took the title of chief justice of the common pleas. In the tenth chapter of the *Coutumier of Normandy*, the grand justiciary is called *senechal* : every three years this *senechal* traversed the province, to establish internal peace, to put a stop to any usurpation committed on the royal demesne, and to confirm all lawful rights. The conservation of the king's forests, the punishment of rape, arson, and homicide, all that came under the denomination of *Plaid de l'Épée*, fell within his competency ; he took information of all breaches of trust committed by the subordinate judges, of treasures found, of wrecks on the coast, and of all other cases which, in final instance, were within the jurisdiction of the grand justiciary of England. In fact, the only difference between the grand justiciary of England and the *senechal* of Normandy was, that the latter made his circuit once every three years, whereas the former, by virtue of a statute passed in the forty-second year of the reign of Henry the Third, only went his rounds once in every seven years. As the *senechal* of Normandy could depose all the other king's officers, so also could the grand justiciary of England, of which history records a memorable example, in the deprivation of Richard de Grai of the office of *châtelain* or governor of Dover Castle, by Hugh Bagot.

The grand justiciary was invested with powers so superior to those of the other judges, that they were obliged to obey and execute his personal

writes, though not signed by the sovereign. When the king was absent, he was styled the king's vicar, viceroy, and guardian of the kingdom: this last title was also conferred on the *grand senechal* of Normandy, for the *coutumier* charges him "*garder au prince sa terre*" (to guard the prince's territory). He was also called the grand coroner of the empire, because all the other ambulatory coroners, established in each county, to watch over the royal rights and prerogatives, were immediately under his control.

We will now make a short comment on the similarity which exists between the Anglo-Norman and the French laws: and as, in the sixth number of this Magazine, we showed the identity of the customs and usages of the two nations from the fifth century down to the period of the heptarchy, the knowledge of that fact may guide us to the true sense and meaning of several texts in our old laws, that some of the best commentators have left doubtful.

In the first of these articles it was shown that all families, under the first race of the French kings, had elders (*doyens*) who acted as judges or arbitrators of domestic differences, chosen out of the members of ten families; that the *centeniers* had jurisdiction over one hundred families, in possessory actions; at each page of the capitularies, we observe that the counts or earls were appointed to decide not only criminal causes, but also all causes which affected persons and property: it only then remains to find out in the capitularies, or in the ancient formulæ, who were the judges immediately superior to the counts and earls, under the first race; to ascertain if these judges continued in office up to the date of the cession of Normandy to Rollo, or if they were replaced, at that period, by other officers clothed with powers different from, or approaching to, those of the grand justiciary of England, and the *senechal* of Normandy; and finally, if they were invested with the special functions of those officers, that is to say, being judges without a fixed territorial jurisdiction, but having the right of visiting and reforming any district they pleased, and revising the sentences of the local magistrates.

In the first place then, independently of the parliaments, or general assemblies of the nation, which were held in open air, in the months of March and May, the French kings held a court of justice within the precincts of their palace, both under the first and the second race: the count or earl of the palace was the official president, and this court was open every day throughout the whole year. Its jurisdiction only extended to disputes between individuals, for all matters which interested the well being and safety of the state, or related to war, or peace, or fiscal regulations, were heard before, and decided by, the general assemblies.

From this difference between the parliaments and the palace court, it became necessary that this latter should be fixed and stationary, and that the general assemblies should be held at such places as the king might be living at, accordingly as circumstances called him from one spot to another. Hence also arose the necessity of the king's having, at his command, discreet and prudent persons, worthy of his confidence, to acquaint him with all disorders and disturbances which might occur during the year, in each province or department, in order that he might be able, when full parliaments were convoked, to submit all such facts to their consideration, for their advice and government.

The selection of these individuals rested exclusively with the king.*

*Recherch. Hist. sur les Cours Souveraines, par M. Gibert, in-4to. 1763.

They were specially ordered to examine how the bishops, abbots, and counts, conducted themselves in their several districts : to establish harmony among them ; to superintend the election of the vidames, and the nomination of pleaders or advocates ; regularly to hold royal and ecclesiastical audiences ; to repress and redress all abuses committed by the lords on their fiefs, or to report them to the king, if these powerful barons proved themselves refractory. These delegates, or commissioners of the sovereign, called *missi dominici*, kept a registry of all property on every fief, and of the number of persons who lived on the demesne of the crown : they levied and received the rents, fines, amerciements, &c. due to the king, and the *freda* or penalties awarded by the legal tribunals. The district which each commissioner was empowered to visit was styled *missaticum* ; as soon as he reached it, and announced his arrival, the counts, their viscounts, the centeniers, and three or four sheriffs, or notables of each county, were obliged to pay him personal attendance. After he had once chosen his place of audience, he was not allowed to change it, unless it was clearly shown that, unless some new spot was selected, he would be unable to collect an accurate knowledge of facts ; but, whatever was the nature of the disputes submitted to him, he could not pronounce any final sentence, without having first taken the opinion of the whole assembly, though he was not bound to adopt their views, not even if there was a clear majority against him.

A decree of Childebert, grandson of Clovis, in the year five hundred and ninety-five, alludes to the "limits of the faithful" (*limites des fideles*) ; and a constitution of Clothaire the First calls these limits, *trustes*. Some authors have thought that this last expression designated a certain territory over which the right of legal jurisdiction had been entrusted as a mark of favour to the proprietor : but we incline to think that *trustis* signifies a circuit, a *chevauchée*, *cabillicata*, and that the word specially denotes the circuit made by the king's commissioners, four times in each year, in the provinces, to the performance of which duty they were specially nominated by the crown.

Firstly : The capitulary of the year seven hundred and seventy-nine, chapter 14, is entitled, *De truste facienda* : doubtlessly this title announces what the capitulary contains ; and it absolutely prohibits, under pain of punishment, any refusal of lodging and hospitality to those who travel on the king's business. *Trustis* cannot have any reference to the rights of lodging or hospitality ; no writer has ever given it that signification ; besides which, if it were so construed, it would make innumerable texts absurd : therefore, it is manifest that this word relates to the journey. Indeed it is thus interpreted in the capitulary of seven hundred and seventy-nine, in the addition to the Salic law, chapter *De causis admonendis*, where the following passage is inserted : "That no person shall refuse lodging to the itinerant commissioners, nor to any other persons who travel on our royal business."

Secondly : In the eighth formula of his first book, Marculphus gives us the form of the regulations which applied to the offices of the dukes, counts, and lords of fiefs. These officers dwelt in towns, and there held their courts : but their vicars, or viscounts, were domiciliated in the rural districts in which they administered justice : hence this commentator assigns to each of the three officers mentioned in the formula a town for his residence, *tibi actionem comitatus*, &c., in *pago illo commissimus*. But the form he gives of the commission of the *antrustion*, in the eighteenth

formula, is very different : besides the oath of fealty which the antrustion takes, similar to that administered to the counts, he also swore to observe the trusts, and this oath was not limited to any specific territory, but general. Consequently, the only satisfactory mode, in reference to these divers formulæ, of interpreting the word *trustis*, is by considering it synonymous with *chevauchée* or circuit.

It was prudent and politic not to affix any certain territory unchangeably in the hands of the same royal commissioners : too frequent intercourse with the inhabitants of the same district might have proved dangerous, for these delegates would in time have contracted local prejudices, and been probably induced to truckle to the great lords, and thus left many crimes unpunished. Moreover, the counts themselves would have become indolent ; whereas, by this system, not knowing who would make the circuit, they were obliged vigilantly to watch over their localities, and make themselves acquainted with the character, property, and habits of the people, within their respective jurisdictions, that they might answer any questions that the itinerant commissioners might put to them. Indeed, they were obliged to make daily entries of all marriages in their districts, to register all sales or exchange of property, and to keep lists of all the men most likely to serve the king in a civil capacity, or in his army.

Thirdly : The antrustion was so peculiarly the *fidelis* or faithful, admitted by the king among the number of his delegates or commissioners, that Marculphus gives no other formula in reference to him than the eighteenth, which contains the instructions of these commissioners, although, by the eleventh formula of the same book, he lays down their prerogatives, and states their travelling allowance.

Fourthly : In the decree of Clothaire, which is at the end of the Salic law, we find the following expressions in the third and twelfth article : *Si in trustee (latro) invenitur, medietatem compositionis is trustis adquirat*. The *trustis*, therefore, was more honourable than the counts, because he had the half of the composition, and the counts only received two thirds of the *fredum*, which itself was only one third of the composition. Now, we do not find in the capitularies any officer immediately superior to the counts, except these *fideles*, lay or clerical, exercising a delegated authority from the crown : they were clearly higher in dignity than the counts, because they supervised their conduct, and annulled, if they thought proper, their sentences : they moreover had the inspection of several counties, whereas each count was restrained to his own jurisdiction : the *truste*, therefore, manifestly denotes the district of each legation, and the antrustion was no other than the royal commissioner.

The antrustions ceased to exist under the reign of Charles the Simple ; the *arrieriefiefs* had greatly increased in numbers by subinfeudations, and the lords or barons refused to acknowledge any other laws, but those which they themselves had established. The office of royal commissioner thus became useless in France. The motive to its establishment was to maintain the ordinances of the kingdom, but, when the local customs of each fief superseded the general ordinances, the antrustion had no longer any duty to discharge.

The grand master of the king's household, afterwards called the *senechal*, had up to this time only the power of regulating the revenues collected from the royal demesnes ; but he was afterwards charged to superintend the police, and to make the circuits formerly made by the

missi dominici, in the various provinces, before the counts had converted them into hereditary fiefs. When the parliaments became locally fixed, instead of being ambulatory, and when courts of justice were established in different parts of the kingdom, from which an appeal lay from the sovereign court held in the capital, the functions of the seneschal and those of the grand master were naturally merged in the office of chancellor: he continued, however, to preside over the king's court, wherever the monarch thought fit to hold it, and each parliament, in its district, then representing the old antrustions who travelled through the provinces under the first and second race, the chancellor, without displacing the seneschal, had cognizance of all transactions affecting order and the administration of justice, in all the royal and seignorial jurisdictions, through the mediation of these parliaments and of the bailiffs, who were sometimes styled seneschals, because, in remoter times, the local bailiffs acted as the lieutenants of the seneschals.

There was a class of functionaries called *inferior coroners*. They were the same as the *pupilli*, pupils, whom all the judges attached to their office under the two first races, and they were also called *juniores*: the officers of the palace, the centeniers, and the counts, all retained in their employ some of these pupils: these understrappers committed the grossest impositions on the people, in the time of Charlemagne, pretending that they merely executed the commands of their superiors, in whose name they acted. The emperor was compelled to suppress these abuses, and no doubt but he regulated the amount of their fees, for Louis le Débonnaire acknowledged that they were entitled to pay. These pupils usually succeeded to the posts to which they were attached, when a vacancy occurred, and they were called juniors or novices, until they obtained some employment.

The vice seneschals, or bailiffs, (for so the bailiffs were formerly called, because the seneschal confided to their bail, or safe keeping, the monies he received from the royal revenues, and entrusted them with watching over the king's rights,) having been substituted in the place of the pupils, sheriffs, coroners, and other ambulatory judges, their circuits, as well as those of the *missi dominici*, became useless. The bailiffs, or deputy *seneschals*, held assizes every month, before whom the people lodged their complaints, as well against the king's officers, as against the seigneurs of fiefs, and the bailiffs sent up reports of these complaints every four months to the king's privy council.

Under Pepin, the office of mayor of the palace was suppressed. He was apprehensive that those who held it might deprive his posterity of the sovereign power, which he himself had usurped through the prerogatives of that office. He transferred a part of the authority of the mayor to the *prevôt*, or prefect of his table, that is to say, to the grand master of his household, who, from the teutonic word, *schalk*, was styled *seneschal*: but Lothaire, the son of Louis, called Louis d'outremer, or Louis beyond the sea, king of France, having given this post in perpetuity to Geoffrey Grisegonelle, count or earl of Anjou, as a recompense for his services against the emperor Otho, and the kings of England having succeeded, in after times, to the counts of Anjou, Philip Augustus no longer permitted them, as their predecessors had done, to exercise, or delegate the exercise of, this important charge. In England, the grand masters, or *seneschals* of the palace, never acquired sufficient patronage to render them formidable to the Anglo-Saxon kings, and before the conquest, as well as afterwards,

these officers were restricted in their powers, which only embraced the maintenance of good order within the precincts of the palace, and the collection of the royal revenues.

THE TAPESTRY OF BAYEUX.

(Concluded from page 88 of our second volume.)

THE next section of the tapestry represents the execution of the orders of William : two men are seen felling trees with axes, a third lops off the branches, a fourth planes the timber and squares it : others are engaged in the construction of vessels. We have already remarked that the smith's tools, used in those days for these purposes by the carpenters, resembled a modern axe or hatchet : the handle was short, with iron projecting on both sides, slightly curved at the extremities, corresponding to the implement called in England a twy-bill. One of the builders leans with both hands on a tool, which seems to be an auger. All this compartment, descriptive of the labours of the workmen, is without any inscription : just afterwards is the following : *Hic trahunt naves ad mare* : Here they draw the ships to the sea. Next is a representation of men drawing the vessels into the sea with ropes, the mast not being fitted ; they are up to the middle in water : it appears from this part of the tapestry that the people knew no other method of launching a ship, than this rude contrivance. All these vessels appear to be very low in the hull. We next observe persons carrying ammunition and provisions to put on board the armament. The men, two and two together, carry on their shoulders coats of mail, and in their hands, axes, casques, swords, clubs, and lances ; others carry sacks and barrels. A carriage on four wheels, loaded with military weapons and wine, is pushed on by two men. The inscription explains their movements : *Isti portant armas ad naves, et hic trahunt currum cum vino et armis*. This is not the only passage in old records, where the Latin word "*arma*" is made feminine. Many authors, in the middle ages, committed the same inaccuracy.

All being now ready for the embarkation of the troops, William repairs to the port of Dive, which seems to be that of Saint-Sauveur, where this river empties itself into the sea : this was the rendezvous of his forces. We see the duke on horseback, his mantle thrown over the left shoulder ; in the right hand he holds his lance, at the end of which floats his gonfalon : behind him follow a train of cavaliers, armed with spears and bucklers. It may here be remarked that William and his retinue are not fully accoutred in their warlike costume, because, in this passage, the tapestry merely describes their approach to the place of meeting, where the main army expected them.

The voyage across the channel is prosperous : it is so described in the tapestry by a fleet of vessels all sailing under full canvass : some appear to be small, others large : in the first are men only ; in the latter, men and horses.

The ship in which Duke William embarked, is in the middle of the armament, and distinguished from all the others by a banner on which a cross is figured. This was intended to represent the consecrated standard sent to the duke by Pope Alexander, as a mark of his approbation of the enterprize.

The tapestry next represents the disembarkation of the horses: *Hic exeunt caballi de navibus*. We see a vessel without sails, and the masts lowered on the deck: it is on the beach: a man who is on the shore, leads two horses by the bridle. From the manner in which these horses seem to get out of the vessel, these must have been nearly flat bottomed: several others, resembling barges, are unloaded, and ranged in tiers along the beach. In the next section, we observe four men on horseback, galloping at full speed. They are accoutred for battle, having the coat of mail, the buckler, and the lance in the rest: two of them carry pennons at the end of their lances. The tapestry has not sufficiently distinguished through its whole extent the two different sorts of standards, to enable us precisely to know the baron from the simple knight. The inscription here, however, announces what these horsemen were about: *Et hic milites festinaverunt Hastings ut cibum raperent*: Here the soldiers hastened to Hastings to seize on provisions. William of Poitiers says that the vessel on which the duke embarked, being the swiftest in the fleet, arrived first at Pevensey, and fearing that they who accompanied him would be panic stricken, on finding themselves alone in a hostile country, he resolved to dissipate their terrors by amusing them with a festival.

The presence of mind and the tact of William have not been forgotten in this part of the tapestry, and accordingly the preparations for this merry making are minutely described. After having represented the horsemen who gallop towards Hastings, a small town about three leagues from Pevensey, we next see a number of men on foot who return with the captured booty: one leads a pig, another, a sheep, a third raises an axe with which he is about to fell a bullock, and a fourth appears to carry on his back a quantity of dinner utensils and some linen.

The next section is not so easy to decipher. We see a man on horseback fully armed, having an iron casque on his head, carrying his buckler in his left hand, and a long stick in his right hand, his legs being encircled with fillets similar to those worn by William, Harold, and the principal officers of the Norman court. Before him stands another man, wearing spurs, and resting his battle-axe on his shoulders. The inscription here is: *Hic est Wadard*. The most attentive examination of this part of the tapestry makes it certain, that no more than these three words were ever marked in this place. But they do not clearly indicate their meaning. Some have supposed that this *Wadard* was the *senechal* of Duke William, who was giving orders to call back all stragglers to the encampment: others have imagined it to represent one of the military barons, who was about to reconnoitre the enemy. These suppositions, however, are purely conjectural, nor is there a single remark in any of the cotemporary writers to assist in clearing up the difficulty: but from this passage, as well as from others, wherein the tapestry records facts and mentions names, unknown to the historians of the conquest of England, it is certain that the tapestry, not borrowing its details from any preceding author, must be deemed to be, in every sense, an original document, and composed at the time of this celebrated expedition.

Immediately after this representation of *Wadard*, we see people seated at table. We may here remark their mode of cooking meat, and the culinary implements then in use. They are even more rude than those described in the regulations which James the Second, king of Majorca, ordered for his household, and which have been printed at the head of the

third volume of the Acts of the Saints and the Bollandists, whether the age of William had not really made more progress in the art of cookery, or whether, in his peculiar situation, the attendants of his kitchen were obliged to make shift with whatever they could lay their hands upon. However this may be, the tapestry exhibits two forked sticks upright in the ground, on which a third is laid horizontally, from which is suspended a cauldron over a fire. The inscription, *Hic coquitur caro*, denotes that they are cooking meat. Another man, who stands near to the cooks, holds a hooked instrument with which he is drawing out cakes, or some sort of pastry. We next see other servitors who present meat to the officers of the table, who arrange it on the board: *Et hic ministraverunt ministri*. Among these officers or attendants, who are all standing up around the first table, there is one drinking from a horn. He apparently is tasting the quality of the liquor. The table of the duke next follows, on which some peculiarities are observable. Firstly: its shape is circular. Bernard de Monfaucon has noticed that this form was almost universal among the ancients, and the object seems to have been, to prevent any querulous complaints as to precedency, which frequently arise at square tables which have a top and bottom. Secondly: it is laden with a variety of different articles, fish, bread, cakes, cups, small bottles, and cruets for oil. Thirdly: before the table is one on his knees, holding a sort of covered porringer. Above this compartment of the tapestry is the following inscription: *Hic fecerunt prandium, et hic episcopus cibum et potum benedixit*. The prelate here alluded to, is Odo, bishop of Bayeux. He is in the act of blessing the repast; he places two of his fingers on the top of the cup or porringer; on his right is the duke, easily recognizable by his mantle. The meal being finished, and the whole fleet of William being arrived, the duke then deliberates as to the course of hostilities that he ought to pursue. William of Poitiers relates that a Norman nobleman, whom he calls Robert, the son of Guimare, a lady of high birth, who was then living on the Sussex coast, fearing that the duke, his natural sovereign, for whom he entertained the highest esteem, had undertaken a too rash and dangerous expedition, dispatched a courier to apprise him of the forces and popularity of Harold.

William then held a council of war. To denote this event, the tapestry represents an apartment in which three persons are seated, and in conversation. No doubt this meeting was more numerous, for the duke would certainly have consulted all the principal officers and chief barons of his army. But the tapestry, in order that this section should not be over crowded, merely puts forward the three principal characters, whose names are written above their heads. In the centre is William himself; he wears his mantle thrown over his shoulders and holds his sword above his head, the point upwards, as a mark of his ducal supremacy. The inscription is, *Willelm*. At his right hand is another man, who also wears a mantle: the inscription is, *Odo, eps*, that is, Bishop Odo, the Conqueror's uterine brother. The one on his left is without a mantle, and rests the point of his sword on his knee: the inscription is, *Rotbert*, Robert, Earl of Mortaigne, another uterine brother. We have already had occasion to speak of both of them. The decision of the council was, that the army should entrench itself near to the place of disembarkation. Hastings, a small town with a trifling harbour, which was close at hand, was pitched upon as the most eligible spot. William lost no time in executing this project. We see him standing up, wearing his mantle and the fillets

round his legs, and supporting himself on his lance, on which his gonfalon floats surmounted by a cross : he seems to be giving some orders to a man who carries tools with which to excavate the ground. Others, having similar instruments, are marching towards Hastings : two men appear to be striking at each other with clubs : this might have been a martial exercise of the times, or perhaps it was intended to show some skirmish between a straggling party of the invaders and some of the inhabitants of Hastings, or the neighbourhood. None of the old authors, however, support the last conjecture ; on the contrary, they unanimously declare that William encountered no opposition whatever from any of the country people. The tapestry next represents the entrenchments constructed at Hastings. The duke presides over all the arrangements, habited in the same costume as above described, when he gives his first orders. Among the labourers, some hollow out the earth with tools resembling a modern pick-axe ; others throw up the loosened ground with shovels, not much dissimilar from those in modern use, but somewhat narrower ; we also observe the common spade of our days, which the men handle, as diggers do at the present time. Above these workmen appears a castle, surrounded with a palisade. The inscription is in one word, *Castra*, Camp. While William is thus entrenching his troops, he receives intelligence that Harold is advancing with his army. The tapestry does not omit this fact in the following words : *Hic nuntiatum est Willelmo de Harold*. The duke, seated on a chair with a curved back, listens to a man who speaks with considerable energy ; the speaker is evidently above the common rank, because he wears a mantle, carries a sword, and supports himself on a lance. At the termination of this audience, we see in the tapestry a house burning ; two men set fire to it with flambeaux or torches, and a terrified mother, holding her infant to her breast, rushes out from the flames : the sleeves of this woman's gown are remarkably full and large ; we would, indeed, designate them *à la Sontag*, if we did not stand in awe of the high displeasure of the milliners of the nineteenth century. The inscription descriptive of the fire is : *Hic domus incenditur*.

The duke of Normandy was too brave a soldier, and too able a tactician, to await the attack of Harold in his entrenchments : scarcely had he heard of his advance than he determined to sally forth and meet him : the tapestry represents this onward movement immediately after the fire mentioned above. We now see the duke giving orders for the march ; he is no longer in his ordinary dress ; his mantle and the fillets round his legs are thrown aside ; he is accoutred in coat of mail, his casque on his head ; he seems to issue forth from the gate of a fortress, lance in hand, to which is attached his gonfalon surmounted by the cross ; he speaks to a footman who holds his horse by the bridle ; this attendant is unarmed, and no doubt is one of the grooms leading the war charger.

We next observe the order of battle, which is denoted by the following inscription : *Et venerunt ad prælium contra Haroldum regem* ; And they went forth to battle against king Harold. The whole are mounted on horseback, and advance in the following order. The duke wears his coat of mail, his war helmet with the projecting "nasal," and holds in his hand his ducal *bâton* ; he who follows also carries a sort of *bâton*, but not of a military character—it is the bishop of Bayeux, the heroic priest ; the third has a buckler and lance—this is Robert, earl of Mortaigne. A fourth also carries a lance, at the end of which is a circlet from which rays seem to dart out. It is not easy to determine what this design was

intended to personify ; it is certain that it was not a weapon of attack or defence, for of what use, in battle, would have been the addition of the circlet of rays ? The great probability is, that it was a badge of honour, or title of dignity ; or perhaps it was a hieroglyphic of the ducal crown of Normandy. The learned Du Cange has proved that similar symbols were in use long before this period ; but he leaves it doubtful whether they were exhibited in military expeditions. There is another conjecture that may be hazarded. By this mark of distinction the embroideurs of the tapestry might have wished to designate the *senechal* of the duke, an officer who always was present at the head of the army, in the courts of law, and the royal palace. At the battle of Hastings, this post of honour was conferred by the duke on William, the son of Osber, one of his maternal relations : Ordericus Vitalis speaks of him in terms of high praise. The remainder of the troop of cavaliers who follow William are not peculiarly distinguished ; they march in the van, three a breast ; their dress, their casques, their bucklers, their lances, are such as we have frequently described in this article.

During this march a horseman, who had been sent forward to reconnoitre the enemy, is seen returning at full gallop to report what he had observed. *Hic Willelmus dux interrogat Vital, si vidisset exercitum Haroldi* : Here duke William enquires of Vital, if he had seen the army of Harold. The cavalier, by way of answer, points with his left hand towards the direction in which he had seen the Anglo-Saxon troops. The tapestry calls this person Vital : this designation of names is peculiar to this ancient record, and the minute exactitude thus observable, is a proof that it was composed at the time when these events happened, and when every particular was well known. In front of this Vital we see two other horsemen, one of whom carries an ordinary standard without a cross ; he is armed, and on his head is a casque with a nasal : the other is also armed, but instead of a casque he wears a mailed cap, such as that worn by Wadard. They stand on an eminence, and from the following inscription it is evident that they are observing the disposition and array of the English army : *Interea exploratum directi ducis jussu probatissimi equites, hostem adesse cito nuntiant*.

Harold, on his side, was equally curious to learn the numbers and equipment of the invaders : he dispatched several spies to collect intelligence. The tapestry represents one on foot, armed in coat of mail, carrying a lance, a sword, and a buckler : he stands on an eminence, displaying the action and manner of a person who regards his object with deep attention : he raises his right hand, as though he were astonished, whether at the disciple of the Normans, their warlike aspect, or their great numbers : he is next seen descending the hill, and running towards the camp of Harold, to whom he relates what he has seen, and announces, by a movement of his arm, that the duke of Normandy is advancing to the attack, as we learn from the inscription : *Iste nunciat Haroldum de exercitu Willelmi ducis*. Immediately after this interview between Harold and his spy, we observe William haranguing his troops. He is armed, in the mode already described, holding his *bâton* or truncheon of command in his right hand, and stretching out his left in the attitude of a speaker ; the single cavalier who is in front of him turns his head to listen, while all the rest of the troop charge the enemy at full gallop. Here the battle commences.

William of Poitiers, Ordericus Vitalis, and others, state that the duke

drew up his forces in the following order. He placed his archers on foot in the first rank. In the second, he formed another line of footmen, but better armed and covered with cuirasses. The cavalry were in the third division, under the duke's immediate command. The tapestry seems to have observed the same order of battle. We first see the archers on foot, who have no cuirasses; behind them are other archers wearing coats of mail; these are followed by the cavalry. The same authors, above cited, also remark that the English, having got possession of a height, dismounted from their horses and formed a dense and compact body. William of Malmsbury, who enlarges on the facts narrated by preceding chroniclers, says that they so disposed their bucklers, as to resemble the tortoise of the Romans. In the tapestry, we observe a crowd of English closely wedged together, armed in the same general manner as we have already noticed; they cover their front, which is exposed to the enemy, with their bucklers; the majority carry battle axes: there is also seen a single archer on foot without a buckler; the air is filled with lances, darts, and arrows. The ground is covered with the dead and wounded. The lower border of the tapestry is entirely full with different scenes of the battle; among those who are stretched on the plain is a man who grasps a round buckler, convex, and armed with a sharp projecting point in the centre. We have already stated that this form was peculiar to the Anglo-Saxons, for the troops of William invariably carried oval bucklers, pointless, and slightly concave.

The tapestry does not forget the death of Leofwin and Gurth, brothers of Harold, who perished in this combat: their death is marked among the memorable events of the day. Nothing, however, particularly distinguishes them, but the inscription: *Hic ceciderunt Lofwine et Gurde, fratres Haroldi ducis*. We merely see two armed men stretched on the field. It is here to be remarked that the tapestry, in fixing the death of these princes at the commencement of the battle, totally differs from all the historians, who relate that they were not slain till after the death of Harold.

The next section represents a part of the Norman army, entangled among the grass and brambles which covered an old entrenchment, where they were vigorously repulsed by the English: great numbers of them were slain in this encounter, as well as English: the tapestry describes this scene: we see the grass and brambles, and men and horses thrown to the ground, while others are precipitated from the hill into the fosse. *Hic ceciderunt simul Angli et Franci in prælio*: Here the English and French fell in battle.

This discomfiture of the Normans had nearly thrown the whole of William's army into complete confusion and rout. The bishop of Bayeux rendered most essential service on this occasion; he stopped the fugitives, rallied them, and exhorted them to return to the conflict. We see the prelate, holding a crosier in his hand, speaking to a horseman whose back is turned to the enemy, and who has flung his lance over his shoulder, as if he was in the act of running away. *Hic Odo episcopus baculum tenens confortat pueros*: Here bishop Odo, holding a stick or crosier, comforts the youngsters. After much trouble and close examination this appears to be the real inscription, though the letters are so decayed as to be scarcely legible.

The exhortations and entreaties of the prelate produced the full effect that he desired: the Normans rushed back with fury to the assault. We observe them riding at full gallop, rage depicted in their countenances,

all sword in hand to rejoin the duke. William knew that a report had spread through the army of his death ; he had, indeed, been wounded, and had had two horses killed under him ; he rides to different parts of the field, takes off his casque, and shows himself bareheaded to his troops. This event is described in the tapestry immediately after the harangue of the bishop of Bayeux. We behold William showing himself to his followers to satisfy them that he is yet alive, the intention being expressed by the inscription : *Hic est Wilhelmus* : Here is duke William. By his side is his standard bearer, displaying the ducal gonfalon, who points to the prince, as still prepared to fight for victory.

The Normans, excited by the presence of their sovereign, fell with such fury on the Anglo-Saxons, that they totally routed them, and penetrated to the spot whither Harold had retreated with his standard. He had been wounded early in the battle by an arrow which struck him in the eye. His death is the last event clearly noticed in the tapestry : *Hic Haroldus interfectus est* : Here Harold was slain. We see the English monarch falling on the ground ; near to him are three men on foot, one of whom holds the standard, to which is attached the image of a dragon or some other fierce animal, for the character is not clearly designated. The two others have bucklers, slightly convex, with a sharp point projecting from the centre. These men were probably intended to represent the body guard of Harold, whose special duty it was to guard his gonfalon. Immediately after this scene, we observe a cavalier who cuts off part of the thigh of a man stretched dead on the ground. This action, thus represented, agrees with what William of Malmesbury relates on the death of Harold : he says that a cavalier, having found the body of Harold among the slain, cut off his thigh, for which ignominious deed he was expelled from the order of knighthood. Throughout the remainder of the tapestry we merely observe slight outline touches of various form and figure ; perhaps nothing more ever existed, as the painting and inscriptions might have been discontinued at the death of Matilda, who designed the whole work ; or perhaps time, and different casualties, had defaced the extremities of the tapestry, or rotted the wool : nevertheless, we may still observe men fighting with swords and battle axes, and distinguish the pursuers from the pursued. The inscription, explanatory of this closing section, though very faint, may still be deciphered : *Fuga verterunt Angli* : this certainly is not pure latinity, but it suited the taste of those who worked at the tapestry.

We have, in a former passage, remarked that Matilda, in all probability, had not intended to close her labours with the defeat of the English at Hastings, but that she would have continued them to the coronation of her husband. It is a fair and reasonable conjecture that the extremity of this famous tapestry has been destroyed by the ravages of time.

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.

No. 1.

In different articles published in our preceding numbers, we have exhibited the general history of the Channel Islands down to the conquest of England by the Normans. We shall pursue this subject from the death of William to the present period, that the islanders may possess a record of their ancestors in a condensed and cheap form.

Before the Conqueror died, he made a disposition of all his patrimonial rights and conquests, pointing out the inheritance that he desired to leave to

each of his children. To Robert, his eldest son, he assigned the duchy of Normandy and the Channel Islands. To William, surnamed Rufus from the red colour of his hair, he allotted the government of England. To his youngest son Henry, he bequeathed all his treasure and personal estates.

These conditions created a long and bitter quarrel among the brothers. Robert, as the eldest, laid claim to the crown of England, but his indolent character and dissipated habits gave William every advantage, who successfully kept possession of the share allotted to him by his father. But his ambition was not satisfied, and he demanded the province of Normandy and these islands. A war ensued between the brothers, which continued nearly eight years, when they came to an agreement, and Robert undertook an expedition into the Holy Land, selling to William a large portion of his continental territories to defray the expense of his military equipment, for ten thousand marks.

In this crusade Duke Robert was eminently distinguished for his courage and skill, and in consequence of the brilliant victories he gained over the Saracens, and the recovery of Jerusalem, he was unanimously elected, by all the Christian princes, king of the conquered districts. At this date, William Rufus was accidentally slain by an arrow in the New Forest, in Hampshire, and when this intelligence reached Robert, he rejected the proffered offer of a crown in Palestine, and hastened back with all speed into Normandy, to revive his pretensions to the throne of England. But before he arrived, his brother Henry had usurped his inheritance. Robert at first compromised the matter, holding Normandy, and receiving an annual pension of three thousand marks in lieu of the sovereignty of England: but his misgovernment soon plunged Normandy into a state of anarchy, of which Henry profited, and landed an army to conquer this province. He took Bayeux by storm, and Caen freely opened its gates. At length the two armies came in sight of each other at Tinchebray, on the 27th September, 1106, when Robert was completely defeated and made prisoner. His cruel brother imprisoned him in Cardiff Castle, in Wales, and put out his eyes. In this melancholy condition he lingered till the 7th of February, 1134, when death, after twenty-eight years of confinement, put an end to his miseries.

The whole of Henry's children, including his natural son Richard, were drowned on their passage from Normandy to England, being wrecked at the Caskets. This signal misfortune was considered by the old chroniclers, as a retribution of divine justice for the cruelty he had exercised towards his ill-fated brother, as well as a punishment for the vices of his son Prince William, accused of being addicted to the "*crimen horribile inter Christianos non nominandum*."

When William, the son of the late Duke Robert, heard of this catastrophe, he resolved to avenge his father's wrongs and attempt the recovery of Normandy, to which he was encouraged by Louis king of France. His death, however, speedily terminated this enterprise, for he was killed at the siege of Allost, on the 27th July, 1126.

Having now no competitor to oppose him, Henry declared his daughter Matilda, who was married to Geoffrey Martel, Duchess of Normandy, after his decease; and about the same time he annexed the Channel Islands to the English crown, from which circumstance many authors have inferred that they have ever since been under the subjection of the English government: but this is an error, as will shortly appear. It might, in truth, rather be said that ever since these islands were annexed to Normandy, the inhabitants have constantly adhered to the duke, whether he was on the throne of England or not, and they persisted in their fidelity to him up to the reign of king John, when the king of France got possession of that province, to whom they refused to submit: and they have ever since been the most loyal and devoted subjects of the British government.

A misunderstanding having arisen between king Henry and Geoffrey Martel, Earl of Anjou, Stephen, Earl of Blois, the king's nephew, availed him-

self of this opportunity to strengthen his party, and so successful were his machinations, that after the death of Henry he obtained the crown, although the Earl of Anjou, in right of his wife, had the preferable title in law. But in those days, kingdoms and provinces were not transferred by parchment, but by steel, for the pen was a powerless weapon compared to the sword. However, Matilda who had, during her father's life, received homage from the Norman barons as duchess of that province, readily secured their protection on behalf of Henry her son, who was accordingly proclaimed Duke of Normandy, these islands included, as the following facts decidedly prove.

We have seen an extract taken from an old register in the abbey of Cherbourg, in Normandy, which is a grant made by this Duke Henry to certain religious persons of the small island of Herm, with the privilege of fishing, &c; and though this document is without a date and otherwise imperfect, he is therein styled simply *Dux Normanniæ et Comes Andegavoriæ*; therefore he must have made this grant before he was king of England, and only Duke of Normandy and Earl of Anjou.

Matilda, this prince's mother, was in great peril at sea in the year 1140, and she made a vow that, if she escaped with her life, she would erect a monastery on the place where she landed. She arrived safely at Cherbourg, and immediately sent for Robert, abbot of St. Helier's, in Jersey, and committed to his care the building of this institution, which was called VOTO, on account of the vow she had made, and Robert was appointed prime abbot of this monastery, without giving up St. Helier's, in Jersey, both coming under the same head, and being afterwards united.

Another instance that these islands were, in king Stephen's reign, in the possession of Henry Duke of Normandy, evidently appears in the perquisition made by royal commissioners in the year 1597, concerning the original titles of the fief d'Anneville in Guernsey, in which they declare that the lands granted by Duke William to Sampson d'Anneville had, by line extinct, devolved to Henry Earl of Anjou in right of his mother, who was then at war for the recovery of the English crown, usurped by the Earl of Blois.

This last circumstance is alone sufficient to demonstrate that the Channel Islands were not then under subjection to the kings of England, but that the inhabitants held unshaken fidelity to their dukes, though at war with their king, which war continued till the year 1153, when it was agreed that Stephen should remain king of England during his life, and Henry be left in peaceable possession of Normandy, and further, that on the king's death the duke should succeed to the throne of England.

During the time that Stephen and Henry were at war, the duke, apprehensive that the king might make some attempt on these islands, sent over Raoul or Rodolph de Valmont to put Guernsey in a state of defence, and this officer raised a fortification on Cornet islet, which appears to be the origin of the present castle. Many conjectures have been hazarded as to the true etymology of this word. Some have derived it from its formation, being broad at both ends, and bending in the middle, thus resembling a cornet or horn, but the manuscripts which furnished us with the above paragraph, state that this fortification was erected on the islet Cornet, therefore it must have had that name before the work was commenced. Others derive it from the family name of the Cornets, which, in ancient times, was very numerous, and possessed a tract of land at the South end of the town, now built over, and called to this day *Rue des Cornets*, or Horn-Street. But the better opinion seems to be that the word is derived from a guard house that was then near to Rozel, in Normandy, called Cor-Nez.

Raoul de Valmont also fortified the tower of Beaugard, which stood on an eminence at the upper end of Horn-Street, commanding the town and harbour, but of which no remains exist at this day: but it was visible in the year 1460: for we have perused an original commission from the Earl of Warwick, governor of these islands, addressed to John Le Marchant, who was captain of that castle, dated the 22nd of December of that year.

It ought to be observed that the expense of these works was raised on the inhabitants by agreement with de Valmont, the condition being, that they should be free from all foreign taxes, by which we must understand, taxes levied in Normandy Proper: and moreover, in consideration of a yearly rent of seventy livres tournois to be paid to the duke, it was stipulated that they should, for time to come, be exempt from any service abroad, that is to say, out of their respective bailiwicks, unless it was to accompany and protect the dukes in person, for the recovery of England—a proof that, in case of need, the services of the islanders was deemed highly valuable. This contract is confirmed by the Extent of the customs and royal prerogatives, drawn up in the thirty-third year of the reign of king Henry the Third, and it is the same rent which is mentioned in that of king Edward the Third, as well as in others, called “Aide du Roi,” and it is still assessed on the inhabitants to this day. All which is consonant with our royal charters, wherein it is expressly declared that “the inhabitants of Guernsey, Serk, and Alderney, are free from all expeditions of war, excepting the case in which the body of our sovereign, or the body of his or her successor or heir, should be taken prisoner by the enemy.”

In this same Extent it is stated that Raoul de Valmont held assizes in Guernsey, and gave away several waste and uncultivated lands at a yearly rent.

Duke Henry, having succeeded king Stephen in the English crown, appointed his son John, earl of Montaigne, lord and governor of the Channel Islands, and resigned, in his favour, the estates of Sampson d'Anneville, which grants were afterwards confirmed by king Richard his brother, at his accession to the throne.

King Philip of France, jealous at seeing so great a part of his dominions in the hands of the English, made several attempts on the province of Normandy, but with very slight success; for, although he made himself master of some places, by taking advantage of the absence of Richard, who was absent in England quelling his rebellious barons, yet, on his return, he recovered all that Philip had seized; but the king of England, having shortly afterwards some dispute with the Count de Limoges, besieged the castle of Chalons, where he received a mortal wound. Before his death, he obliged the barons to take the oath of allegiance to his brother John, until his nephew Arthur had attained to his majority. Arthur was duke of Brittany, and son of Geoffrey, elder brother of John, and at the death of Richard, he was twelve years of age. John usurped the rights of his nephew, and some years afterwards took him prisoner at the siege of Mirabeau. He gave orders for his death, which were not executed; on which, he stabbed him with his own hands, and, fastening a stone to the body, threw it into the Seine.

This atrocious murder excited the horror even of his most attached adherents, and king Philip took care to avail himself of this seasonable opportunity to promote his own ambitious views. In the parliament of Paris he declared that John had forfeited all his right and title to the province of Normandy, and other territories, for which he did homage to the French king, though he was more influenced by personal interest, than any real horror at the crime of John. At the same time the barons of Normandy rose in rebellion against their duke, and some priests and chevaliers strained every nerve to corrupt the fidelity of the islanders, and particularly to foment an insurrection in Guernsey; but these efforts were fruitless, for the principal inhabitants drove them out of the island, and it was retained in loyal obedience to king John, who seized the lands of all disaffected persons, and disposed of them in fee farm rents to those who had espoused his cause.

At this period the house which belonged to the prior of our lady of St. Mary's, at the Vale, was given to the prior of St. Leufroy, with three corvées of land; two other corvées of land to the fief d'Anneville; and one corvée to William des Rohais, who were obliged alternately, by their tenures, to keep the prisons.

King John, who had so peculiar a regard for these islands, kept no doubt a great military force both in Guernsey and Jersey, to protect them against invasion; but he, being short of treasure for the payment of his army, sent an order to Peter de Prestel, dated the 24th July, in the fifth year of his reign, for the lords of fiefs to raise from their tenants sufficient sums of money for the defence of the island, and to deposit the same in the hands of Regnault de Carteret, to be appropriated to the maintenance of such soldiers, and others, as might be required for the defence of the island. This order has been denounced by many, as arbitrary; but we should consider that it was issued on a most urgent occasion, and there is no reason to doubt that the inhabitants, who displayed the most devoted loyalty to this prince, submitted to the tax with alacrity and cheerfulness.

After the revolt of the Normans from whom these islands received their judges, it became necessary for king John to provide some other mode for the administration of the laws. He accordingly established in each a jurisdiction of their own, to do justice between his majesty and his subjects, the king being confident that by placing this authority in the hands of the islanders, it would be the best security for retaining them under the subjection of the English crown; with the minute particulars of this arrangement the reader will be made acquainted when we publish some articles on the "Civil Jurisdiction of Guernsey." King John was so anxious for the welfare of these islands that, in consideration of their proximity to the French coast, he inserted a clause in his institutions for the royal court, to the following tenour: "That, to secure the safety of the island and castle, a master of the port should be appointed in order that the harbours might be well kept, in order to prevent any damage either against the king or his subjects." This clause was not only intended to protect the inhabitants against invasion, but also to protect the fisheries, which were then very considerable, and yielded a great branch of the royal revenues, especially in the article of salted congers. Indeed, however culpable king John was in other respects, he was the best friend that these islands ever possessed, as the founder of their present freedom and happiness.

Mr. Falle, in his History of Jersey, alledges that, at the pleas held in that island, in the presence of John Fressingfield, one of the itinerant judges sent over by king Edward the Second, it was set forth by William Du Maresq, the king's advocate, that Philip Augustus, of France, had twice ejected king John out of these islands, who had twice reconquered them. That author judiciously observes, that this was spoken after the usual manner of complimenting princes, to whom victories and successes are ascribed in which they have seldom any personal share. There is indeed no truth in the assertion. Had Philip Augustus ever possessed himself of the islands, John was too weak and crippled ever to have recovered them, for he could scarcely maintain the dignity of his crown. We have already said that, after the murder of Arthur, Philip declared in the parliament of Paris, that John had forfeited his claim to Normandy, and then he ejected him by a judicial decree: but these islands were at that period part and parcel of Normandy, so that we must understand that John was not expelled *de facto* by the sword, but *de jure* by a judicial sentence.

It is stated in an old manuscript, said to have been drawn up by John Fressingfield and John Dutone, that Guernsey was not at this time reduced by force of arms, which confirms our view of this ejection by Philip Augustus; but in the latter end of king John's reign, the island was afflicted with great mortality, when the Normans attempted to surprize it, but were repulsed. It is, however, asserted that castle Cornet fell into their hands through the negligence of the captain, who had failed to supply it with ammunition. But from what follows, it will appear that this misfortune occurred in the following reign, though by the courage of the inhabitants it was soon recovered, and was again subject to king Henry the Third, who authorized the bailiff and jurats for the future to inspect all the castles, and see that they were at all times fully supplied with all necessaries.

Though this manuscript cannot be received as an authentic document, still the greater part of its contents accords with irrefragable facts attested by other records, and all the other circumstances mentioned in that paragraph are ratified by our *précepte d'assise*, drawn up under the reign of king Edward the Third, which authority of the court has been confirmed from time to time, and it subsisted up to the reign of king Charles the Second, when all our castles were placed under the command of the board of ordnance.

The only question not clearly settled, is the precise time of this invasion, which is not mentioned in the manuscript, otherwise than by the general word, "heretofore." Some writers have been of opinion that it took place under the reign of king Edward the First; but this is mere conjecture, for no proof or authority is adduced in its support: nor does it in any sense seem probable, for though Guernsey sustained a severe attack about the year 1295, it does not appear that the castle was then reduced, but rather the contrary, as the following anecdote confirms.

The effects of one Jane Le Guay, widow to Rodolph Le Mercer, had been carried into the castle for safe custody by her brother John, who was slain in the action. After the enemy had been repulsed, the governor of the islands seized the property of the widow, and appropriated it to his own use. She lodged a complaint, whereon the king, in 1296, sent his mandate to the governor, commanding him to restore all the goods of Jane Le Guay: now, had the castle been captured, the enemy would no doubt have carried off all the plunder, but the fact of the restitution made to this woman clearly shows that, though the island was attacked, the castle was never surrendered. It is further observable, that in many other orders from the king issued on behalf of the inhabitants, and much to the same effect as the preceding one, no mention whatever is made of the castle, but, on the contrary, they all refer to the surviving relatives of those who lost their lives on this occasion: consequently, there is no probability that this could be the invasion, noticed in our *précepte d'assise*, which corroborates the statement of the above cited manuscript, by which it is fixed in the reign of king Henry the Third.

Mr. Falle quotes an extract from an old record which seems to allude to this invasion, in which it is stated, that the king, under apprehension of danger to the islands, directed his royal mandate to the barons of the Cinque Ports to go to their assistance upon the first notice from the governor, saying that they highly deserved his protection for their loyalty and unshaken fidelity. Mr. Falle conjectured from this language, that the islanders had joined some shipping from the Cinque Ports, under the command of Philip d'Aubigny, guardian of Guernsey, when some time before he defeated king Louis at sea on his way to reinforce his army; but this supposition is very objectionable, for it is not to be supposed that the inhabitants of these islands, so contiguous to the French coasts, and constantly in danger of being invaded, would have left them exposed to hostile attacks by embarking in a foreign expedition, more especially as they were exempted from this service by their privileges, on the ground of their being obliged to defend their own territory. We are rather inclined to believe that these kind and flattering expressions of king Henry the Third, were made use of in consideration of the services rendered by the inhabitants to his father king John, and in particular, as a mark of gratitude to the Guernseymen, who under his own reign recovered Castle Cornet, as we have already stated.

The most ancient Extent we have of the royal prerogatives was, with an abstract of our Constitution from king John, drawn up by an order from the king to Drogo de Barantin, governor of both Jersey and Guernsey, dated the 11th of February, in the thirty-second year of his reign, wherein it is mentioned that, on the application of Philip d'Aubigny, one half of a certain duty upon shipping and fish had been for the future remitted.

The few fragments of history that we can find relating to his time, so far as these islands are concerned, show that he had a very great regard for them, for, though he found himself reduced to the necessity of relinquishing

his pretensions to the province of Normandy, yet, in his treaty with king Louis of France, in 1259, he took particular care that they should be reserved with the province of Gascony. Besides the political attachment the king manifested for these islands, no doubt but he had also a particular attention to them, as being the appanage of prince Edward, his son, who was now arrived at twenty years of age.

We have seen an *Inspecimus*, under the reign of king Henry the Fourth, containing a charter from this prince Edward, in which he grants to William de Chesné the right of keeping a warren, both in Guernsey and Jersey, dated the 9th of June, in the forty-fifth year of his father's reign: therefore, prince Edward must have had these islands, under his special government, during his father's life time. We shall now proceed to his reign.

Soon after king Edward ascended the throne of England, some commotions arose in most, if not all, of the Channel Islands, whereupon John Wigger and Rodolph de Brochton were, by a royal commission dated the 11th October, 1274, authorized to make an inquiry into the behaviour of the jurats and inhabitants of the islands of Guernsey, Jersey, and other isles adjacent to the coast of Normandy, and, in case it should appear to them that any of the said jurats had committed acts prejudicial to the royal prerogative, these commissioners were empowered to eject them from their offices, and sentence them to such further punishment, as they deemed fitting, subject, however, to the king's revision and pardon.

Though the subject of these broils is not particularly mentioned, yet, by the tenour of the order, there is every presumption to believe, that it must have been connected with the royal prerogative, proceeding most likely from the imperfect state of our Extents at that time, for, within a month after the date of this commission, separate Extents were drawn up for Guernsey, Alderney, and Serk, and no doubt but similar measures were adopted in Jersey.

However, it seems that the people of Guernsey justified themselves against every imputation of rebellious conduct, for these commissioners, observing that the island required a good harbour for the encouragement of trade and navigation, made such a representation to the king of this necessity, that he authorized the bailiff and jurats, by his royal order dated the 2d March, 1275, to lay and impose, on all loaded ships coming into the said harbour, a duty of twelve sous tournois, and on all boats six sous tournois, for the space of three years, to be applied to the erection of a wall on one side of the said harbour, in order that ships might lie in safety and shelter from the vehemency of the weather, and that strangers might be encouraged to frequent the port, which wall goes now by the name of the old or south pier. If these twelve sous tournois were of the same value as those mentioned in the Extent of the island of Serk, under the name of sols tournois, it must have been a pretty heavy duty, since a quarter of wheat was therein estimated to be only worth six of them. However this may be, the great trust reposed in our magistrates is a convincing proof that they had cleared themselves of all suspicion of disloyalty, and that the king was well satisfied with their conduct and integrity. As a further proof of this monarch's esteem for the islanders, we may here remark, that he granted a public seal to each of the royal courts of Guernsey and Jersey.

We might, in this place, notice some other abstracts on record of events that occurred in the islands at this date, but, as they chiefly relate to disputes between private individuals, they do not possess any general historical interest: we shall, therefore, proceed to notice the severe attack, before alluded to, which Guernsey sustained, and in which many brave men lost their lives, as appears by several orders from that king to Henry Cobham, governor of these islands, all bearing date in the twenty-third year of his reign. Were we to insert these at length, our narrative would become tedious; we shall, therefore, confine ourselves to an exposition of their substance, referring the laborious student for further information to Riley's *Placita Parliamentaria*.

The object of all these orders was to redress many grievances suffered by the people during the invasion, such as the restoration to several persons of the estates of their fathers, and other relatives, who had been killed, and which had been illegally seized and retained by the said governor. Other orders directed that all widows should be secured in their dowers, according to the customs observed in the island. Others again were framed on behalf of the clergy, who had sustained damage by being deprived of their tithes; but the principal order declared, that those who had signalized themselves in the defence of the island, should be rewarded by being put into possession of all lands, rents, and effects, which had formerly belonged to *fugitives and deserters*. These fugitives and deserters, as appears from Riley, were persons who held lands both in the island and in France, and, when war broke out, they were in the habit of retiring to France and giving information as to the weakest parts of the coasts; but when peace was restored, they used to return and claim their rents, and the enjoyment of all such franchises and liberties as belonged to the resident Guernseymen, the true and liege subjects of the English crown.

The king was so displeased with the governor's conduct, that he summoned him to appear before the parliament on the very next session, in order to answer for his unjust proceedings against the inhabitants. In fact, all these orders are replete with royal justice, and show at once the devoted loyalty of the islanders, and the gratitude of the sovereign. It would be gratifying could we speak as favourably of that king's successor, but, during the next reign, these islands, as well as England, were grossly oppressed, their laws infringed, and their constitutions violated, most of which evils originated from the arbitrary government of Otho de Grandison, who imposed many additional burthens on the inhabitants. They were also severely injured by the judges of assize, who frequently came over, and had no respect for our rights and privileges, but subverted all established customs, and threw the whole island into confusion. And, as Mr. Falle observes, not only public grants, but private inheritances and properties were called in question, and no man was secure in retaining what he possessed. All these grievances remained unredressed, till the more propitious reign of Edward the Third.

In those days, many different species of coin were received by our merchants in the way of trade, and the king, in the third year of his reign, sent an order to John de Roches, governor of the islands, to receive the revenues of the crown in whatever coin was circulated through the island. But the Extents being still very imperfect, several commissioners were, about two years afterwards, appointed to draw up one more diffuse and distinct, than the old ones, as well as to examine into many grievances complained of by the inhabitants, and, in order to guard against future errors, and render further impositions, if not impossible, at least very difficult of accomplishment, a fiscal code was drawn up, more in conformity with our ancient customs, as established by king John, called the Precept of Assize, wherein the authority of our royal court, and its right of jurisdiction, is fully confirmed.

The war which arose between king Edward the Third, and Philip de Valois, for the succession to the crown of France, gave our enemies an opportunity of attacking the island of Guernsey; for, while king Edward carried on his conquests in Flanders, Philip, in order to make a diversion, and prevent supplies being sent from England, recalled his troops from Marseilles, who, being joined by some Genoese, Castilians, and other levies raised in Normandy, and the neighbouring provinces, were placed under the command of Nicolas Bahuchet and Hué Queriet. These officers fitted out a formidable fleet, and for two to three years infested the channel, plundering and ravaging all the towns on the coast. At last they made a descent on the islands, but met great resistance in both; but their superiority of numbers enabled them to get possession of Guernsey.

Mr. Falle, in his history of Jersey, has, on the bare authority of a very questionable manuscript, expatiated largely on this unhappy catastrophe.

and paid many compliments to his own countrymen at the expense of the people of Guernsey. He says that the French retained their conquest for three years: that the deliverance of Guernsey being too great an enterprize for the Jerseymen single handed, they could not effect it, but hearing that a fleet was ready to sail from England with recruits for the king, who had given orders to the commanders, Raymond de Cobham and Geoffrey de Harcourt, to attempt the liberation of the captured island on their road, the Jerseymen raised a sum of six thousand four hundred marks for that service, joined the fleet, and assisted in retaking both the island and the castle. Many distinguished Jerseymen fell on this occasion, among whom were the Sieurs De Vinchelez, De Matramers, Des Augrez, De Garis, De La Hogue, Lemprière, and other leaders specially named, besides many private adventurers.

After a careful examination of this account, it appears clear to us that the only part of this narrative which is true, is the simple fact of Guernsey being captured and kept possession of by the French admirals, and that all the rest is apochryphal, for the reasons hereinafter assigned.

In order to proceed more methodically, we shall endeavour to demonstrate, first, that this island was captured about the year 1339; secondly, that it was rescued from the enemy before the month of December, 1340; and thirdly, that Geoffrey de Harcourt, who was a noble sprung from Normandy, could have had no employment in the British navy before July, 1346, to which we shall add some reflections on the other articles.

Mr. Falle, in the first edition of his history, fixed the loss of Guernsey in 1339, but finding that he could not reconcile that date with the time that Geoffrey de Harcourt passed over into England, he thought proper, in his second edition, not to be so particular as to dates, and merely states the fact without mentioning the year in which it happened.

Some authors assert that in the year 1339, the fleet, commanded by Bahuchet and Queriet, landed at Southampton, which town they plundered, and then took several small islands. Though these islands are not specified by name, no doubt Guernsey was one of the number, as it lay the first in their way from Southampton. After they had reduced it, they left a sufficient garrison to retain possession, and then proceeded to Jersey with the remainder of their troops. In this enterprize they failed, but though the Jerseymen behaved with great gallantry, it is, however, only fair to observe that Guernsey was less populous, and had a larger army to resist.

In this same year, Sir John de Ferrers, captain or governor of Jersey, sent over a deputy to that island, to whom certain orders were given for its defence, and he also brought out an order directed to the bailiff and jurats, commanding them to seize the effects of William Payne, a magistrate there, who had joined the enemy, and to elect another in his place.

The parliament, being alarmed at these incursions of the French, represented to the king the urgent necessity of strengthening the navy, and keeping the sea, and specially implored him to defend the islands of Guernsey and Jersey. This application of the parliament was probably the reason why the king, at this time, sent a letter to the bailiff and jurats of Jersey, in which, in terms the most affectionate, he commands their loyalty, and assures them of his royal protection.

All these circumstances, being concurrent with each other, are sufficient proofs that Guernsey must have been captured in the commencement of 1339, or a very little time anterior to that date. We shall now examine when and how it was recovered.

At the same period at which the king sent his letter to Jersey, he was forming a large expedition, not only to carry himself and his troops to Flanders, but also to oppose the French by sea, and drive them out of the channel. This armament was attended with great success, for, on the 23d of June, 1340, he fell in with the fleet of Bahuchet, consisting, it is said, of three hundred sail, all of which he either sunk, burned, or captured. The slaughter was immense, and Bahuchet himself was hanged at the main yard,

as a punishment for the ravages and cruelties he had committed on the English coast.

Now, it is not to be supposed that the king, after having gained so decisive a victory, would have violated the promise he had so recently made to the people of Jersey, at the request of his parliament. No doubt it was chiefly with a view to redeem that pledge, that, after he had landed his troops in Flanders, he ordered his fleet, under the command of Sir Robert Morley, to cruise off the coast of Normandy, where we find, in general terms, that he captured many vessels, and destroyed several towns and villages; and though Guernsey is not specially mentioned, it is not to be supposed that this island, after what has been remarked of the feelings of Edward, would have been left by his naval commander in the hands of the enemy, or that he would have neglected its rescue, in order to pillage a few towns and villages on the French coast.

While his admiral was thus scouring the channel, Edward was seizing several places by land, and laid siege to Tournay, when king Philip, being apprehensive that he could not successfully continue the war, employed the countess of Hainault, his sister, and mother-in-law of Edward, to intercede, and endeavour to negotiate a peace. Her entreaties and influence prevailed, and a truce for nine months was concluded on the 25th of September, 1340, to last till the 25th of June, 1341, but, by the intervention of the Pope, it was afterwards continued for two years longer.

This sudden condescension of Edward seems really to have proceeded from the exhausted state of his funds, for he then held the power in his hand to avenge himself on his enemies, and recover those continental territories lost by his predecessor. The purport of the truce was to the following effect :

"It is agreed that if any of the confederates or generals of the two kings shall lay siege to any towns in Gascony or Aquitaine, or in Guernsey, Jersey, or elsewhere, such sieges shall be instantly raised after this truce shall have come to their knowledge."

Though these admit of different constructions, and their ambiguity might lead to much ingenious disputation among those logicians who are amused with splitting hairs, yet the deliverance of Guernsey, either by stipulation in this truce, must have been guaranteed, as it was ratified within three months after the defeat of Bahuchet, or it must have been previously relieved by the squadron of Sir Robert Morley, when he was cruising on the coast of Normandy, in confirmation of which we appeal to the following vouchers.

The first to which we shall allude is a certificate signed by the royal court of Jersey, under the seal of that island, and addressed, in December, 1340, to John Le Marchant, wherein the bailiff and jurats acknowledge his great services in defending their island and castles against the enemy, who had made several attempts upon them, and they further admit that, without his assistance, they would most probably have been subdued. Possibly he possessed great military genius, or he might have commanded such Guernseymen as were then in Jersey, who had escaped from their own island after its capture, and there sought refuge.

If we examine the whole tenor of this certificate, we can easily discover the motives which prompted Le Marchant to obtain it. His object manifestly was to show that, though he had been driven out of Guernsey, he still waged war against the king's enemies, for without this voucher he might have been deemed a runaway, and so forfeited his estates. He obtained it in 1340, and it is absurd to suppose that Guernsey still remained in the possession of the French, for of what use would the certificate have been to him had it then remained in their hands? Surely they would not have restored his property on the strength of a document, which declared him to be the principal defender of Jersey!

The next circumstance, worthy of notice, is a letter from the king addressed to his treasurer and chamberlain, dated the 2d of June, in the fifteenth year

of his reign, in which he orders him to examine the rolls drawn up by Robert de Scarborough and his associates, judges of assize, on the last occasion that they had been in these islands, that he might have an accurate knowledge of the particulars. These rolls, consisting chiefly of the Precept of Assize and Extent of the revenues of the crown, before-mentioned, show, that the king's intention, by this inquiry, was to restore their ancient customs and liberties to the inhabitants, the charters and titles of which he apprehended had been destroyed by the French, when in possession of the island; for, about a month afterwards, he granted his royal patent of confirmation of all our privileges, an abstract of which is contained in an *Inspecimus*, under the reign of king Edward the Fourth.

Many letters were at this time sent to Thomas de Hampton, governor of the islands, by the king, which, though treating on various subjects, allude frequently to the capture of the island, and the brave defence of the inhabitants. We shall notice three of them, all dated the 30th of January, 1341, in the sixteenth year of this king's reign.

The substance of the first prohibits the exportation to France of any provisions or warlike ammunitions, under the pretence of the truce then subsisting.

The second contains an order to seize and appropriate to the king's benefit all such estates, tenements, and effects, as might be found appertaining to fugitive Normans and deserters.

The third directs that quarters, in time of war, should be appointed for the inhabitants, each according to his rank, in the castle of Jerbourg, in Guernsey, which castle had been strongly fortified, to serve as a place of retreat on any emergency.

The certificate of the bailiff and jurats of Jersey to John Le Marchant, and these three letters, prove beyond a doubt that, in 1341 at the latest, the French had been expelled, even if we had no other proof than the third, relating to the castle of Jerbourg, for, had the French then been in possession of the island, that order would have been absurd. Therefore, we have proved that Mr. Falle was misled by the manuscript, which asserts that the French had possession of this island of Guernsey for three years.

We have now to show that Geoffrey de Harcourt could not have had any rank in the English navy, as asserted by Mr. Falle, when he erroneously affirms that the Jersey men joined his fleet and liberated Guernsey, for he did not come into England till at least two years after the time when Falle makes him an English admiral. But, for the sake of perspicuity, we must first trace back this subject to its origin, to show that this Harcourt was a Breton, and under what circumstances, and at what time, he left his country.

In the month of April, 1341, John, duke of Bretagne, died without issue. This event caused very great contests between John de Montfort, his brother, and Charles de Blois, for the succession to that duchy. The latter, apprehensive that a strong party was formed in the province to oppose his claims, summoned his competitor before the king and parliament of Paris to have their differences decided, when, after much debate on both sides, the duchy of Brittany was assigned to Charles de Blois on the 7th of September, 1341, and the pretensions of his rival rejected.

John de Montfort then solicited and obtained the support of Edward, on which he refused to submit to the sentence of the French king, and determined to maintain his claim at the point of the sword. In the beginning of the year 1342, Charles de Blois entered Brittany at the head of a considerable army, with the decree of Conflans in his hand, in order to make good his title. This was the commencement of those hostilities which ravaged that province for many years.

Though the truce still subsisted between France and England, it did not prevent king Edward, who had in view the recovery of Normandy, from taking advantage of these dissensions. He supplied John de Montfort with auxiliary troops, and at the same time attached to his own personal interests as many as he could of the nobles and principal persons of Brittany, several

of whom being accused, in 1344, of having joined the English party against Charles de Blois, were beheaded by Philip de Valois.

We now come to Geoffrey de Harcourt, who, though but a younger brother, was Baron of St. Sauveur Le Vicomte, and other places in Normandy. Although this nobleman was high in the favour of the French king, he suddenly incurred his displeasure, he being suspected of supporting John de Montfort. Fearing to undergo the same punishment which had been inflicted on so many others, he resolved to retire from the reach of Philip, and accordingly sought refuge with the Duke of Brabant, with whom he remained some time, and in 1346, or early in 1348, he arrived in England. De Harcourt had not been there long, before he heard that a grand expedition was fitting out against the French, and, anxious to revenge himself against those who had betrayed him to Philip, he obtained permission from king Edward to accompany the fleet, in which many persons of distinction had embarked, among whom was Prince Edward. They set sail from England in June, 1346, and landed at La Hogue on the 1st of July, where the king appointed De Harcourt one of his generals. Soon afterwards the famous battle of Cressy was fought, in which this nobleman commanded a division of the English army, which attacked a division of the French army, strange to say, commanded by his eldest brother John De Harcourt, who was slain.

Notwithstanding that Geoffrey had done his king and country much injury, yet he was not long before he made his peace with his master. Some authors state that, after the battle of Cressy, he was so affected at the distressed condition of his native land, that he went, with a sash about his neck, instead of a halter, threw himself at the king's feet, and obtained his pardon.

This short narrative of Geoffrey de Harcourt shows that he exiled himself during the civil war that raged in Brittany, caused by the hostile pretensions of John de Montfort and Charles de Blois: but that duchy did not become vacant before the month of April, 1341, and the decree of Confians in favour of Charles was not promulgated before the 7th of September following. Now the certificate granted by the bailiff and jurats of Jersey to John Le Marchant is dated December, 1340, and the three letters above alluded to, addressed by Edward to Thomas de Hampton, governor of the islands, are all dated 30th January, 1341: therefore, it is not only clear that Guernsey was free from the French at that time, but it is proved, beyond doubt, that Geoffrey de Harcourt could not have been in the British service at that time, nor indeed till nearly six years afterwards, and consequently he could not have taken any share in defeating Bahuchet and Queriet. Thus then have we established our three points, and refuted the idle story of Guernsey being held captive for three years, and the fable of its being liberated by the Jersey men.

It is not unlikely that the English fleet, in 1346, in which Regnault de Cobham was embarked, might have touched at Guernsey, either being driven thither by stress of weather, or with a view to examine the state it then stood in, especially as Castle Cornet had, in the preceding year, been taken by some Spanish galleys; but as it was very soon delivered up again to Thomas de Ferrieres, governor of the islands, on a letter of indemnity from king Edward to the Spanish commander, this circumstance cannot have the slightest connection with the capture of the island by Bahuchet, and its subsequent recovery.

There remains, however, one minor point which requires to be noticed: we allude to the contribution of 6,400 marks, alleged to have been raised in Jersey, for the recovery of the sister island.

Supposing that this sum had been collected there for the object stated, or for any other object, it must have been raised in Scotch marks, valued at 13½d. In Mr. Falle's computation of the governor's revenue in Jersey, he says, that a livre tournois was then equivalent to a pound sterling; now this would amount to 86,400 shillings, and as a shilling went current in that

island for one livre and two sols, it would at that rate amount to 95,040 livres—but the livre tournois, says Mr. Falle, was then equal to a pound sterling—consequently, the amount raised by the Jerseymen must have been 95,040 pounds sterling. The statement thus carries its own refutation along with it, for such a sum would have maintained an army of ten thousand men for a considerable time; whereas it is not probable that Jersey could have mustered two thousand militia, neither could any such expedition, considering the proximity of the islands, have taken up sufficient time to make it expensive.

Moreover, it is not to be supposed that an island which had been so lately distressed by the enemy, and reduced to such danger of capture, as is acknowledged in the certificate given to John Le Marchant, could be in a condition to assist their neighbours either with money or men, more especially as, at this very time, great dissensions reigned between Thomas de Hampton, the governor, and Henry de la Mone, his lieutenant, on the one part, and also among the inhabitants themselves on the other part, arising out of mutual recriminations as to the mode of conducting this war; and so fierce was this schism, that the king appointed royal commissioners to examine the case, with a special command to the governor and his lieutenant, if found guilty, to appear before the council, that their effects might be confiscated, and themselves punished.

As this unfortunate attack of the French must have been attended with some expense, the Jerseymen no doubt raised some necessary contribution for the defence of their own island, which the author of the manuscript, quoted by Mr. Falle, erroneously affirms was applied to the wants of Guernsey; and that this is more than probable appears from the fact, that our author did not seem to know any thing about the invasion of Jersey, as he does not mention it in the first edition of his history. The very same argument applies to the death of the Jersey gentlemen said to have been slain at the recapture of Guernsey: it is most probable that they were killed in defending their own island, as was Drogo de Barantin, on the admission of Mr. Falle himself.

(To be continued.)

LAWS AND CUSTOMS OF GUERNSEY.

No. 1.—ON REAL PROPERTY.

THE laws of Guernsey derive their origin from the *Grand Coutumier* of Normandy, with the alterations and additions to the text compiled from the commentaries of William Terrien, and the changes effected in it by an order in council in 1583, which is known here under the designation of "*L'Approbation des Lois*,"—from the Constitutions by which king John established the royal court,—from the Precept of Assize, being a collection of the ancient liberties, usages, and customs of the island, made under Edward the Third,—from orders in council, acts of parliament, ordinances of the royal court, and last, but not by any means least, custom, usage, and precedent. But the lapse of ages, and the altered circumstances of the population with regard to their trade, intercourse with other people, advancement in knowledge and civilization, and their habits and pursuits, have gradually, and almost imperceptibly, brought about so many changes in the laws, that, with the exception perhaps of those which relate to real property, only a small portion of them at present bear any very distinct traces of their ancient origin. It must therefore follow, from this progressive adaptation of them by custom and precedent to the rising wants of the community, that the laws in Guernsey are partly written, and partly, as in England, common or unwritten.

Of the laws of *real property*, which are those that have undergone the least mutation, the following brief notices may be given.

The tenures by which lands are held originated in the feudal system. The first grantor was the prince, who parcelled out the lands among the most favored of his followers, generally among those most distinguished for their skill in arms or their superior wisdom, on the condition of their paying him certain annual rent-charges, of their assisting him in his councils and in the execution of the laws, and of their bearing arms in his defence. The individuals holding thus immediately

under the crown were called feudal lords, and the lands they held were termed *fiefs* or manors. These, again, in their turn, ceded small portions of their lands, for the purpose of cultivation, to the inferior ranks of the people, generally to their soldiers or serfs, who thereupon were called vassals, and held their tenures subject to similar conditions with regard to rent-charges and fealty towards the lord, as had been imposed upon him by the prince. These grants, which originally were held during pleasure, and afterwards for life—the fiefs reverting to the prince upon the death of the lord, and the lands to the lord upon the death of the vassal—became in process of time hereditary, and afterwards alienable on the payment of a fine by the lord to the prince, for leave to alienate the fief, and by the tenant to the lord for leave to alienate the land. The fine payable to the prince or lord, which was originally termed *relief*, is at the present day in Guernsey called *treizième*, from its having, at some remote period, consisted of the thirteenth part of the purchase money.* The tenant in alienating the land, generally sold partly for money and partly with a reservation of certain perpetual rent-charges; sometimes, indeed, wholly in either of these ways. This method of transferring land, from one person to another, is observed to the present day. The tenures by which land or houses are held, are therefore mostly what are called in England fee-simple; and as money was little known when this system originated, the perpetual rent-charges are for the most part payable in such agricultural produce as corn, fowls, and eggs. Some estates, however, are wholly free from rent-charges, and in many cases where they are not, the proprietor has it in his power to render them so by redeeming the rents which are due upon them.

All contracts for the sale of real property are to be passed before the bailiff and two jurats; and they must be registered at the record office, on pain of nullity, or at any rate of their not conveying to the purchaser any right to the prejudice of third parties possessing claims against the estate, even though such claims should be founded on transactions effected, and registries entered, subsequently to the purchase.

The benefits of a public registry have long been felt and acknowledged as of incalculable importance. The compulsory registry of all real-property bargains is, in fact, one of the greatest excellencies of the Guernsey law. The most prominent benefits which a well-regulated system of registry must ever confer upon the public, are, the transferring of property with ease and confidence,—the simplifying and therefore cheapening of conveyances,—the facility it affords to all persons wishing to borrow money on the security of their real estate,—the prevention of fraud upon mortgagees, and therefore of the litigation arising out of those frauds,—the securing to all purchasers of land and houses the unmolested enjoyment of their purchases,—and, as the natural result of all these, the raising of every description of real property, whether lands, houses, or rents, to a higher standard of value than it could otherwise have attained.

The forms of conveyancing are so simple and concise, that a contract of from four to six pages of foolscap, not very closely written, generally suffices for the transfer of the largest estates. Nor is it a matter of any importance to the purchaser whether his contract be afterwards lost or mislaid. Once registered at the public office, the purchaser is safe, as he can at any time, on the payment of a few shillings, procure from thence an authenticated copy of it, which will have all the force of the original. Of the simplicity and efficiency of the peculiar mode of conveyancing practised in Guernsey, it may indeed be said, in the words of one who had the misfortune to view most other matters connected with the island through a disordered medium:—"The many covenants entered into by lessors or lessees in England, are here unknown and needless; general custom is an invariable law, equally binding on both parties, and the intent and meaning of written agreements, not the strict letter, or quibbling turn of a sentence, can here be taken advantage of. If ambiguity occur, equity decides, and prevents chicanery from triumphing over inadvertency or misconception. Here, then, that multiplier of tautologies, the unwieldy conveyancer, teeming with long needless provisos, and mere useless covenants, with which, with written gall, he blackens and bestrews the bleached hide, thicker than the wool it fostered, may view with more surprise the same kind of short primitive deed, found amongst the musty muniments of his clients, still affording even greater security against flaws and quibbles than all the multiplied tautology and perplexity of his bulky roll, too large to fold, and yet too short to bind."†

* It would appear, from a petition of the inhabitants to Cromwell, in 1663, in which they prayed for the remission of this fine, that the *full thirteenth* was then exacted. At present, the fine is six livres tournois per quarter of wheat rent, or about 2 per cent. on the amount of the purchase money.

† Berry.

The purchaser of lands or houses is, in Guernsey, subjected to a peculiar claim known by the name of *retraite*, the origin of which seems to have been derived from the laws of Moses. When any person alienates his estate by sale, if any part of the assignment is paid in money, the next of kin, and upon his neglect, the next after, and so on to the seventh degree, is privileged, by the law of *retraite* or pre-emption, with the right of redeeming it from the purchaser on repaying him the full amount he paid for it, together with all the charges incident to the transfer, and the full *treizième* or fine payable to the lord of the fief. This right may be exercised at any time within ten years of the transfer, if the purchaser has merely caused his contract to be registered at the record office, but not to be publicly read at the opening of the court of heritage; but only within a year and a day if it have been both registered and read. The purchaser may, however, and, perhaps in ninety-nine cases out of a hundred does, get himself *approprié de son marché*, or secured in the possession of his purchase, at the next court of heritage, which may be within a week, and never need be more than three months, after the passing of the contract. This is done by his having one of the vendor's relatives within the seventh degree, who does not want the estate, to put in a claim for the *retraite*; by means of an action in the court of heritage, and, on the action being read, to decline appearing at the bar to demand the property alienated; upon which the claimant is declared a defaulter, and if no other relative steps forward to claim the property, the purchaser is for ever secured in the possession of it. In cases where the estate is alienated wholly for rents, and without any consideration in money, the claim by *retraite* cannot be made, as the alienation is then considered to be rather an exchange of real property than a sale.

One good effect of the claim by *retraite* is, that it prevents estates from being sold much below their value. The evident intention of it appears to have been that the estate should either remain in the family of the individual to whom it was first granted by the lord, or else that it should revert to the lord himself; for originally the lord, in the event of the relatives not claiming, was entitled to do so for the same period of time, and on the same conditions as themselves.

The undisturbed possession of an estate, or of any other description of real property, during forty years, secures to the possessor a right to it by prescription, which is equivalent to a title.

Another custom peculiar to Guernsey and Jersey, is the famous *Clameur de Haro*, or Cry of Haro, which was formerly practised in Normandy, and which has been praised by most writers on the Norman laws. The *Clameur de Haro* is a summary remedy in all cases of encroachments on landed property, against which it operates as an instantaneous and effectual check. It is thus practised in Guernsey:—When an individual finds that his neighbour, or any other party, is encroaching upon his property by the erection or demolition of a wall or other structure, or by any other trespass, whatever may be its nature, he repairs to the spot, accompanied by two witnesses, in presence of whom he orders the aggressor or his agent, to desist, by invoking the name of Rollo, first Duke of Normandy, in the singular form of exclamation:—“*Haro! Haro! Haro! à l'aide, mon prince*,” and by addressing the words, “*je vous ordonne de quitter cet ouvrage*,” to the aggressor, upon which he must instantly desist, as in the event of his daring to proceed he is liable to be punished for a breach of the peace and a contempt of king's authority, the property being supposed to be under the king's special protection from the moment the cry is made. The word *Haro* is compounded of *Ha!* the ejaculation of a person suffering, and of *Ro*, a contraction of *Rollo*, the name of the Duke,—so that the meaning of *Ha-Ro! à l'aide, mon prince!* is “O Rollo! my prince, afford me thy succour.” The party who, supposing himself aggrieved, has thus availed himself of the *Clameur de Haro*, is bound, on pain of nullifying his proceeding, to appear before the bailiff for the purpose of presenting him with a written declaration of what he has done, in which must be set forth every particular of the case, which declaration being signed by the bailiff, must be deposited for registry at the greffe or record office within twenty-four hours of the crying of *Haro*. The next step is to bring the matter before the court in the shape of an action. If the party who has cried *Haro* neglect to bring forward such action, the party against whom it was cried may turn plaintiff, and compel the other to justify his proceedings and submit to the judgment of the court. Upon the action of either party, the court proceeds to the decision of the affair by what is called a *vue de justice*, in which case the court, composed of at least seven jurats besides the bailiff, repair to the spot, where, after written and oral evidence has been adduced, and counsel heard, the matter is irreversibly decided,—there being no appeal to his majesty in council from decisions given on cries of *Haro*. The

party against whom judgment is given, whether plaintiff or defendant, is invariably mulct in a fine to the king, and he is, in addition to the fine, sentenced to a *regard de château*, or twenty-four hours' imprisonment at Castle Cornet—which, however, does not at present take place—the imploring of the prince's aid without cause, and the disturbing of the public peace by the invasion of another's property, being accounted equally criminal. In Normandy the *Clameur de Haro* extended to cases of personal injury or violence: in Guernsey it is restricted to matters affecting houses or land.

The *Clameur de Haro*, it is scarcely necessary to observe, was originally an appeal for justice and protection to duke Rollo, who distinguished himself as the founder of the Norman laws, and the preserver of the rights of his subjects. It was used on its first institution only on occasions of more than ordinary importance, but its efficiency being ere long universally recognized, it became, in process of time, quite a popular remedy in almost every case of aggression.*

The laws which regulate the descent of real property in Guernsey are not, it would appear, very dissimilar from those which were observed in England down to the time of Lyttleton.†

No real estate can be disposed of by will: it must descend to the heirs at law, and in default of such heirs, revert to the king or to the lord of the manor on which the estate is situated.

The law of primogeniture does not obtain in Guernsey; but in the division of real property, the eldest son is entitled to a certain portion of the estate, called *préciput*, which consists of his father's principal house and some of the land attached to it. He makes his claim to this by obtaining a permission from the court to authorize the douzaine of the parish, in which the estate is situated, to levy his *préciput*. The douzaine proceed to the spot from which he intends levying it, and grant him a certain number of perches of land, seldom less than fifteen or more than twenty, which he has the right of taking in whatever part of the estate he chooses; and the land thus granted, with all the buildings upon it, however costly they may be, he is entitled to take, free of rents and other incumbrances. If, therefore, there are rents or incumbrances due upon it, he is to be compensated to their full amount from the residue of his father's real estate. As the land thus assigned generally makes part of the principal enclosure, the remainder of it is valued by the douzaine as bare land, irrespectively of the buildings that may be on it, and becomes the property of the eldest son on his paying to the estate the value set upon it by the douzaine: he has also the right of taking, at a valuation made by the douzaine, whatever remaining part of the land he pleases, nay, even the whole of it, provided that the enclosures communicate with each other and with his *préciput*, by means of gateways or stiles, and that it be practicable to go from one part of it to the other without crossing any public road. As the decision or valuation of the douzaine may be contested, and appealed from to the royal court, the eldest son is bound to summon his co-heirs to be present when the douzaine proceeds to the levying and measurement of the *préciput*.

Besides his exclusive right to the *préciput*, the eldest son has, in common with his brothers, a right over the daughters to the *vingtième*, which, as the term imports, is the twentieth part of the estate, which the sons may either claim or abandon, as their interest may dictate. The *vingtième*, like the *préciput*, is measured by the douzaine, and rated as bare ground. When the *vingtième* is taken, the remainder of the estate is divided—two-thirds to the sons and one-third to the daughters; but when it is not taken, the estate, after the *préciput* taken, is divided among all the children, whether sons or daughters, share and share alike. When, therefore, there are so many sons and so few daughters that, if the *vingtième* were taken, the share of a daughter would exceed that of a son—when, for instance, there are four sons and one daughter, which would give each son one-sixth, and the daughter one-third—it clearly is not the interest of the

* A notable example of its efficiency occurred about one hundred and seventy years after Rollo's death, on the occasion of the funeral of William the Conqueror, which is recorded at page 353 of the June number of this Magazine.

† The statute of wills in England is the 32 of Henry VIII, c. 1, explained by 34 of Henry VIII, c. 5, which enacted that all persons being seized in fee simple (except feme-coverts, infants, idiots, and persons of non-sane memory,) might by will and testament in writing devise to any other person, except to bodies corporate, two-thirds of their lands, tenements, and hereditaments, held in chivalry, and the whole of those held in socage; which now, through the alteration of tenures by the statute of Charles the Second, amounts to the whole of their landed property, except their copyhold tenements. And since that time, by a legal construction given to the statute 45 of Elizabeth, c. 4, it is held, that a devise to a corporation for a charitable use is valid, as operating in the nature of an appointment, rather than of a bequest.

sons to claim the *vingtième*; and, in that case, if they study their interest, they waive their right to it, in order that the estate may be equally divided among all the children.

In the division of the *vingtième*, and also in that of the residue of the estate, the eldest son shares in common with his co-heirs.

The *préciput* must be taken out of the *vingtième* whenever the latter is claimed.

Neither *préciput* nor *vingtième* can be claimed on any property situated within the *barrières*, or ancient boundaries of the town.

The real estate of the wife descends to her children precisely in the same way, the *préciput* and *vingtième* included, as that of the husband, with however this difference—that the husband, if he survive her, enjoys that estate for life; but should she die without having had a child born alive during wedlock, the estate reverts, at her death, to her heirs, in the same manner as if she had never married. The birth of a child with the slightest symptom of life is sufficient to secure the husband a life interest in the property as long as he remains a widower, for the moment he remarries he forfeits all right to the enjoyment of his deceased wife's estate.

The widow, at the death of her husband, becomes entitled to the whole of her own real estate, and also to have as her dower the enjoyment for life of one-third of all the real estate which her husband may have been possessed of at any period since their marriage, even though part or the whole of it should, years before his decease, have been disposed of by him without her participation, or been legally taken from him by creditors, it being impossible for a widow, in any case, to be deprived of her dower, except in consequence of a previous voluntary renunciation of her right and title to it. She has also, in the event of her husband's dying while his father is yet alive, a right of dower when the father dies on all such real estate as he was possessed of while his son, her husband, lived, and which would have descended to him had he survived his father.

A wife can neither acquire property by purchase, nor dispose of it by sale, unless she declare upon oath that she does so of her own free will, without any constraint on the part of her husband.

A widow is entitled, at the death of her husband, to one-half of his personal property, if he leaves no children, in which case the other half is disposable at the pleasure of the testator: if there are children, she is entitled to one-third, the children to the two other thirds, one of which, however, the husband may dispose of by will: a widower without children may dispose of his personal estate in which ever way he thinks proper.

A father cannot by will give a greater portion of his personal property to one child than to another; but the third of it, which is at his disposal if he have children living, or the half, if his children are dead but his wife living, he may bequeath to perfect strangers.

If any of the children receive in their father's life time any property for advancement in the world, marriage portion, or otherwise, they cannot at his death claim their share of his personal estate unless they previously bring back or account for what they have so received; but a daughter marrying in her father's life time, whether she have or have not received any marriage portion, has no claim to his personal estate at his death, unless at her marriage she reserved to herself the right of such claim by a special agreement in writing with her father.

In Guernsey, administration is never granted to the effects of an intestate. The next relative is entitled to take possession of the personal property in the same manner as the heir at law would the real estate, the maxim "*Le mort saisit le vif*," being as applicable in successions to personal property, as in those to real estate.

The manner in which property descends in *collateral successions* is regulated by the nature of that property,—*propres*, which are one description of real estate, descending one way, and *acquêts* and *conquêts*, which are two other descriptions of real estate, descending, along with the personal property, another way.

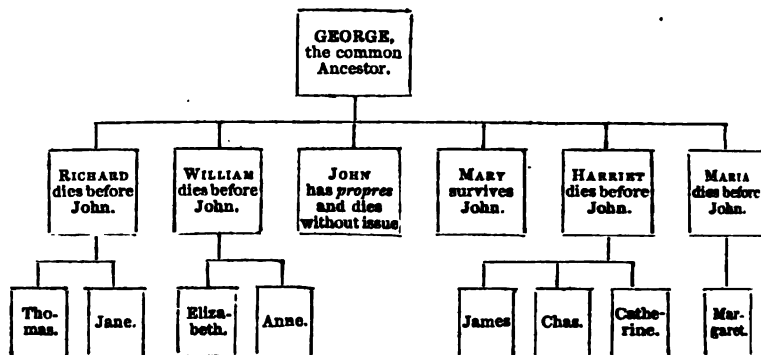
The *propres* is real property, descended to the deceased either from a paternal or a maternal ancestor, or obtained by *retraite*.

The *acquêt* is real property, purchased by the deceased, or acquired by him in any other way, than by succession or *retraite*.

The *conquêt* is real property, purchased by a husband and wife conjointly, or acquired by them in any other manner, than by succession or *retraite*.

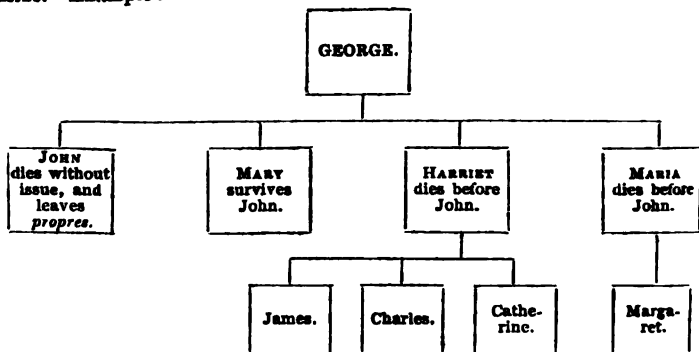
In collateral succession, then, the *propre*, or patrimonial estate, reverts to the stock from whence and through which it was derived—" *paterna paternis, materna*

maternis;" and to a brother, or the descendants, whether male or female, of a brother, to the exclusion of a sister, or of a sister's descendants. It descends *per stirpes*, or stock, and not *per capita*. Example:—



The *propres*, or patrimonial estate of John, will go one-half to Elizabeth and Anne, and one-half to Thomas, who excludes his sister Jane,—Elizabeth and Anne, as the representatives of their father William, and Thomas as the representative of his father Richard, excluding their aunt Mary, though they are a degree more distant: they will also, as representatives of males, exclude James, Charles, and Catherine, the sons and daughter of Harriet, and Margaret the daughter of Maria, who are representatives of females,—the descendants on the male side, though females, being always preferred to the descendants of females, though males.

If there be neither a brother, nor descendants of a brother, and all the descendants are either sisters, or nephews and nieces from sisters, the nephews exclude such nieces as are their sisters, but they exclude neither their aunts nor their first cousins. Example:—



The *propres* of John will go one-third to Mary, one-third to James and Charles, who exclude their sister Catherine, and one-third to Margaret.

But the case is different with regard to *acquêts* and *conquêts*, which, together with the personal property, descend *per capita* or head to the nearest relatives in *degree*, without reference to stock, whether male or female,—still however to a brother to the exclusion of a sister, though of course not to a brother's children to the exclusion of a sister, but the reverse,—for it is only in equal degrees of proximity that the males inherit to the exclusion of females. Let the case given in the first table above again be supposed, and let the question relate to the right of succession to John's *acquêts*, *conquêts*, or personal property. This succession descending to the nearest relatives in *degree*, representation of stock not being allowed, it is evident that the whole of the property must go to Mary, who is one degree nearer than her nephews and nieces. She therefore excludes them all,—even the children of her brothers Richard and William, though, had either of these brothers been alive, he would have wholly excluded her.

Again,—let it be supposed that Mary died before John, the property had then been equally divided between the nephews Thomas, James, and Charles, to the exclusion of the neices Jane, Elizabeth, Anne, Catherine, and Margaret, because the property descending *per capita* and not *per stirpes*, representation is not allowed,—and because, in the same degree of proximity, males inherit to the exclusion of females. B—.

N.B. The subject of *garantie*, or warranty, which is sufficiently important to require a separate article, will be treated of hereafter.

HARRIS'S* ACCOUNT OF GUERNSEY.

IN the course of last month, we received a volume from London entitled "A System of British Geography, arranged upon an entirely new and original, but very condensed and comprehensive plan, dedicated by permission to the Princess Victoria," and which we are further told in the title page "is patronized by the Duchess of Kent, the Marquis of Northampton, Earl Fitzwilliam, and other distinguished personages." It is not our intention to enter upon a critical examination of this work generally, for we do not possess sufficient local knowledge of all the towns in the United Kingdom, to affirm, whether our author has described them correctly or not. Our object, as indicated by the heading of this article, is simply to show that Mr. Harris has most grossly and most ignorantly slandered the people of Guernsey, misrepresented their institutions, and falsified their character. As he sent us his book gratuitously and of his own free will, and accompanied the present with a very polite note, perhaps he may think that we may use him harshly; if, however, he reflects for a moment, he must be convinced, that we can have no personal hostility against one, who is perfectly unknown to us, and that we merely censure him for giving to the world, under the patronage of our future queen, (who will never have more devoted and loyal subjects than the Guernsey-men, unless they should suddenly abandon the principles of their ancestors, who never swerved in their fidelity to their Norman princes,) we repeat, that we merely censure him for giving to the world an incorrect and malignant statement, which he never could have taken the trouble to verify.

The first paragraph in this libel, to which we shall advert, seems, from the mode of expression, to have been borrowed by Mr. Harris from that scamp Berry, who had the impudence to put forth a huge quarto of twaddle and personal spleen, as a "History of Guernsey," to which was added a fulsome appendix of ancestral honours and pedigrees of a few families, who were his dupes, for every one knows, who has the slightest acquaintance with history, that very many native families, now poor, owing to the subdivision of land, can boast as long a Norman lineage, as the richest fundholders now, or then, living in the island. But let that pass, and let us hear Mr. Harris.

"The merchant and wealthy shopkeeper, Mr. Berry tells us, are immersed in business from morning till night; they never relax from the cares of money making, nor does the want of exercise or retirement make any impression on their health. The rural beauties of the island are consequently not improved by art, and the delightful spots which learned leisure would select for a villa, if chosen at all for the abode of man, are occupied by some wretched hovel, or mean farmhouse. The mode of life here described is such as may be expected, wherever the commercial spirit reigns exclusively. The hope of quick gains is generally fatal to the exertions of patient industry, and the inhabitants of small islands but seldom add much agricultural proficiency to commercial enterprize."

Now, people of Guernsey, read over this extract a second time. What will our merchants say of their imputed sordidness, grabbing after filthy lucre "from morning to night," as if they were the manacled slaves of Plutus. What will our country gentlemen say, when a writer, in the year 1836, declares, that their houses "if chosen at all for the abode of man, are wretched hovels, or mean farm-houses," such we suppose, as Candle, or Beau Sejour, or St. George, or Vauxbelets, or the villas in Grange Road and Petite Marche, *cum multis aliis*. We are next told that Guernsey-men have no "agricultural proficiency." This is the best joke of all. It is too coarse a one, however, for serious refutation.—Mr. Harris, if ever you publish a second edition of your book, read the March number of this Maga-

* Our author is not the respectable proprietor of the Royal Yacht Club Hotel at the Carrefour, who deserves many thanks for his indefatigable zeal in procuring foreign seeds, and improving the horticulture of the island.

sine, and then, if you can appreciate systems of husbandry, you will recommend all young men, who intend to farm land for their subsistence, to serve a previous apprenticeship with a Guernsey agriculturist.

Our author next observes that, "The peasantry of Guernsey are, in general habits and enlightenment, more than a century behind the rest of the world." We presume that he means behind persons of their own class. We should be glad to know, in what this deficiency is so remarkable. They are industrious, sober, and orderly; they neither break machines nor burn ricks; of pugilism and bull-baiting they know not the name; they are proverbially civil to strangers; they toil hard, and are content with humble fare. Pray, Mr. Harris, tell us explicitly in your next edition in what their barbarism consists, and in what essential they are a century behind the Johnny Raws of England, the Sawneys of Scotland, or the Paddies of Ireland.

Mr. Harris, however, with wonderful self-complacency, accounts for this demoralization, observing: "This can only be accounted for by the little friendly intercourse subsisting between the natives themselves, the rigorous classification of ranks being pushed here to that absurd extreme, so frequently seen in small communities. The man who by his industry has raised himself to opulence and independence, but who cannot boast of dignified ancestry, can scarcely hope for admittance into what is called the first class. The tradesman again is looked upon as a degree lower, till at last the lowest order is regarded as if it were sunk in actual servitude."

It is scarcely credible that a man who sits down to write and publish a book of popular instruction, as Mr Harris professedly did, should put forward such a statement as this, without carefully examining the evidence on which it rests. He says, "that little friendly intercourse exists between the natives themselves," thus assuming that Guernseymen have not the same feeling of social brotherhood, as the people of other countries. Now, we will tell this person, that the very nature of our institutions tends, most especially with the agricultural class, to promote "friendly intercourse" in an eminent degree. In the first place, we have no class of people in this island who correspond with the English farm servant: every man who cultivates land is absolute owner, and not a tenant on a lease; so long as he pays his quarters, he is lord of the fee simple, and his children, after his death, take his estate by inheritance: secondly, here the law of primogeniture is unknown, and the consequent subdivision of property spreads over the whole island a community of independent men, far different from the oppressed cultivators of Britain, who must vote at elections for the nominee of the lords and squires, or prepare for ejection: thirdly, the small size of the farms enables the Guernsey owner to work it with his family: fourthly, as they do not hire labourers, different families assist each other in turn at particular times, such as the *grande querrée*, the weeding of parsnips, haymaking, the collecting of *vraic*. Now we affirm that this very constitution of our society encourages, nay absolutely compels, "friendly intercourse" among the farmers; for peasantry, in the English sense and acceptance of the word, we have none.

Mr. Harris next complains "that the rigorous classification of ranks is pushed here to that absurd extreme, so frequently seen in small communities." It is quite true that we have artificial grades of society, but they are not such as a philosopher would condemn, because they are not productive of any political or national damage. If some families found a private club, or establish a subscription ball room, on exclusive principles, they may certainly carry out their plans to a silly and childish extent; some few may envy them, and vent their spleen against them, because they are not allowed to enter the select circle, but these very individuals, if enrolled among the coterie, would become the warmest defenders of aristocracy. The only question, worthy of notice, is simply this: Is there in Guernsey any such rigorous classification of ranks, as is productive of injury to the people at large? and most assuredly that question may be answered in a decided negative. There is not a single magistrate of the royal court, who is unwilling, if spoken to in the street, or waited on at his house, to sign certificates, or give advice, to the poorest man in the bailiwick. What would be the reply in England to similar applications: "Call in office hours." No political philosopher complains of the exclusiveness of "Almacks," for that is the exclusiveness of fashion and is harmless: but all complain of political and legislative power being vested in the frequenters of Almacks, for that is injurious: let them dance galoppades, and mazurkas, and boleros, as long as they like, for they are entitled to their amusement as well as other people, and if they do make fools of themselves, the public do not suffer from this sort of folly: but let them abstain from idle attempts

at governing the nation, and leave that to men elected by the popular voice. It is the grafting of political power on artificial distinctions, that philosophy condemns.

When Mr. Harris tells us that, in Guernsey, "the lowest order is regarded as if sunk in actual servitude," he assimilates them to the serfs of Russia. But we tell him again that, with scarcely any exception, every man has a cottage and some land of his own, and if it be not sufficiently large to subsist his family, he makes up the difference by working at his trade, either as a mason, or carpenter, and sometimes as a fisherman. Talk of actual servitude, forsooth! Let Mr. Harris look at home; let him call to mind the declaration of the Duke of Newcastle, when he turned his tenants out of house and land for refusing to vote for his nominee, "I have a right to do what I like with my own." No despot could use such language here, for we have no dependency, in matters of conscience, between landlord and tenant; or let this writer carry his thoughts over to Ireland, and there he may find serfs, political and ecclesiastical, by millions. The real fact is, Mr. Harris, that so far as the institutions of property are concerned, (we mean fundamentally, for we want a trifling reform in the matter of testamentary succession,) those of Guernsey are a model worthy of European imitation, and we are satisfied, that they only require to be known, to be adopted. If once introduced and established in Ireland, they would do more for that unfortunate country than centuries of agitation.

Our author next tells us, that "it is a curious fact that the females ride upon straw saddles, and with stirrups, in the same posture as men." Now, this book is dated December, 1836, and really so gross a misrepresentation is unpardonable. What would Mr. Harris think of a Guernsey author who should publish a book declaring that the ladies of England fastened their dresses, in this current year, with *showers*, because their ancestors did so some centuries ago?

"Respecting the state of education," says Mr. Harris, "we can only say, that at the only town upon the island, Port St. Pierre, or St. Peter's-Port, there is a free school." Pray, Sir, did you never hear that a college was founded in this island by queen Elizabeth, and that the States have expended many thousands to erect the noble building that now ornaments the town? Did you never ascertain that free schools exist in every parish in the island? Are you ignorant that the masters of Elizabeth College are graduates and clergymen of Oxford and Cambridge?

We are next told that St. Pierre is an "old ill-built town, and still in a very rude state." This, observe, is in 1836. What was London itself before the late improvements? But Mr. Harris knows nothing of the existing condition of an island which he has pretended to describe. Fountain Street, the Markets, the Grange Road, &c. &c., are quite out of his knowledge, and thus we are libelled, because a writer on British geography composes at random. And the best of the joke is, that he concludes thus: "We have been rather minute in our description of this island, because it is a fertile and interesting spot." What a pity it is that his accuracy in stating facts, was not equal to his minuteness.

Mr. Harris has also published an account of Jersey in this volume, in which he speaks very favourably of them: "The inhabitants," he says, "are most social in disposition; during the winter there is a continual round of assemblies, balls, and subscription dinners, at which gaiety and good humour universally prevail, so that few places, equally limited in extent, enjoy a greater variety of amusement." No doubt Jersey is a delightful residence, but we see no reason why one island is to be complimented at the expense of the other, and when Mr. Harris writes again on this subject, and lauds the "social disposition" of Jerseymen in contra-distinction to that of Guernseymen, he would do well to write a dissertation on the Rose and Laurel parties.

Mr. Harris has extracted from the Jersey and Guernsey Advertiser the ordinance passed by the Royal Court of Guernsey, which placed all Englishmen, on their arrival, under the *surveillance* of the police, and then he remarks that "From this curious and arbitrary law of the island of Guernsey, it appears that Jersey is far the better island of the two, whether to visit or to reside in."

We always considered that ordinance most impolitic, and though it has never been enforced on one single occasion, but remained a dead letter, we hope that it will be forthwith repealed. As our English readers may feel astonished at the enactment of such a law, it may be observed that, during the severe distress of the English and French, more especially of the French labouring classes, they flocked over to Guernsey in shoals to seek for employment. It became, therefore, absolutely necessary that the authorities should adopt some measure to prevent the

island from being infested with pauperism, and as most of these new comers were reckless characters, robberies were nightly committed. Some protection against this horde of ruffians thus was justifiable, and had the law been more discriminating in its provisions, it might have been rendered free from objection; but that was not the case, as it included all Englishmen, without any discrimination whatever. We repeat that it ought to be expunged from our records.—Here is a book, dedicated by permission to our future queen, and patronized by many of the nobility, pushed into general circulation under their auspices, as a school text book of British Geography, describing us as arbitrary and tyrannical to all our English brethren. Who that reads it would land on our shores? Who would think of residing here? We have endeavoured to do our duty to the public in pointing out the errors of Mr. Harris: but we cannot erase the ordinance. Let those who have goods to sell, and houses or lodgings to let, be assured, that the circulation of Mr. Harris's book, containing this law, will continue to deter visitors from stopping in Guernsey, unless it be at once repealed.

SARNIAN MELODIES.

No. 4.—NOON.

Let others claim the evening dim,
The early morn so chill and gray,—
Give me the time of blazing noon,
And the bright sun's meridian ray;
Then let me in some charming vale,
Where not a breath is heard to sigh,
And e'en the birds their warbling cease,
Secure its radiance fierce defy.

Rise seat me 'neath some spreading oak,
Or tall and graceful sycamore,
When all with fervid heat is mute,
And waves the floating corn no more;
Where through the chequer'd meads and groves,
The devious brook meandering flows,
And haste the weary swains to snatch
That short, wing'd hour of sweet repose.

Or if within the garden ground
My morning's grateful toil hath been,
There let me seek the shady fig,
Or pear-tree's cone of massive green;
And to the murmur of the bee,
Behold the drooping flowers fall
Beneath a ray that mantles more
The fruits upon the burning wall.

Yet still do I prefer to be
Expos'd to all its noontide blaze,
High on some parched and hoary cliff,
Far o'er the subject deep to gaze;
A wide expanded sheet of flame
Quiver the still and waveless seas,
Where flapping sails too well confess
The sun hath lull'd the stifled breeze.

And from that airy height to mark
The fishers toil the live-long day;
Or else pursue the uncertain bark
Where sea and sky blend far away.

Let others claim the evening dim,
The early morn so chill and gray,—
Give me the time of blazing noon,
And the bright sun's meridian ray.

P.

TO CORRESPONDENTS.

The sketches of the Guernsey and Jersey Bar have been received. We have given them a careful and attentive perusal, but, in their present shape, we should not feel ourselves justified in giving them publicity. The objection we entertain is this: the writer has mixed up private conduct too much with forensic duty, and, in some cases, identified the advocate with his client. This is not fair, as a lawyer is presumed to plead from his instructions; and if his employers turn out to be unprincipled rascals, their sins cannot honestly be thrown on the back of the barrister. If, however, these alterations are made, and the writer will give us a declaration in writing that he can verify his facts by evidence, in case of need, we shall not hesitate to comply with his wishes, as nothing is more essential to the well being of society than a Bar, composed of gentlemen, who have higher motives to exertion than avarice or personal revenge. We also request our correspondent to omit his remarks on the privilege now granted to the crown officers of dropping their official duty *ad libitum* to plead for individuals, as well as his observations on the framing of new ordinances just to meet any particular case, as we intend to examine this practice most fully in due time, as we proceed with the series of articles entitled "Laws and Customs of Guernsey."

THE

GUERNSEY & JERSEY MAGAZINE.

SEPTEMBER, 1836.

ON MILITARY AND NAVAL MONOPOLIES.

THE faculties of the human mind, the frame of the human body, the circumstances in which man is placed, all conspire to prove that he was designed for an active being : and, in conformity with this design, Providence has appointed that all his improvements and all his enjoyments should spring from the exertion of his activity. We are told by the highest authority that man must earn his bread by the sweat of his brow, and that the labourer is worthy of his hire ; but though these precepts are announced by Revelation, they are derided by the customs of modern society, and violated by the laws and institutions of the land. Labour is considered a degradation. To live in luxury on the toil of others, who subsist on bare necessities, is deemed respectable. The working mechanic is spit upon, as belonging to the swinish multitude, while the sinecurist and the pensioner rejoice in the titles of gentlemen. He who produces wealth, is nothing ; he who consumes it, is every thing. This perverted and factitious state of opinion is generated by the existence of an aristocracy, which can only maintain itself by monopoly and exclusiveness, working evil and injustice to all the rest of the community. We propose in this article to examine the oligarchical structure of the army and navy, which we firmly believe to be the sole cause why the brutal practice of flogging is continued.

The plea put forward by the advocates of the lash is, that common soldiers and seamen, being drawn from the lowest classes of society, can only be retained in effective discipline and subordination by the dread of the cat-o'-nine-tails and the halberds. We hold a different opinion ; but we will not disgrace our pages by arguing against the policy of flogging : no man of feeling or piety can tolerate for a moment this insulting barbarism. Our object is to show that, if a new system were introduced into the army and navy, young men of decent families would

enter the ranks and walk the fore-castle, and thus raise the moral standard of the united services to such a height, as to deprive the flogging officers even of the miserable plea, which they now advance in justification of their cruelties. The question at once arises: Why are the army and navy chiefly filled with men of worthless character? To which we answer: First, because glaring inequalities in their respective rights and privileges exist between the privates and the officers, consisting in the various provisions of what is called "martial law:" secondly, because there are many restrictions which preclude the privates from all hopes of bettering their condition.

First, the situation of common soldiers and sailors is rendered peculiarly revolting from the various provisions of martial law.

In civil life, if a nobleman strikes a mechanic, or if the master of any large workshop beats any of his labourers, or if the case be reversed, and the mechanic assaults the nobleman, or the labourer, his employer, both parties will receive from the law of the land exactly the same punishment. But if a private soldier strikes his officer, he is liable to the penalty of death, and only to sentence such an offender to the most ignominious corporal punishment is accounted an act of lenity. But if an officer strikes a private, however unjustly, the worst he can suffer will be, dismissal from the service: but this extreme punishment is never inflicted unless in very aggravated cases, and the usual punishment, (if indeed he is punished at all,) is merely a reprimand.

By the civil code, specific punishments are affixed to specific crimes, and the law makes no distinction between the rank and condition of offenders. The terms noble and plebeian, rich and low, are not known in the distribution of justice in Great Britain. But martial law grossly violates these principles: for while the private, for immoralities, misbehaviour, or neglect of duty, may be sentenced to any corporal punishment not extending to life and limb, no such penalties are inflicted on the officer. The vice of drunkenness cannot be less criminal in an officer than in a private; yet, if an officer be found drunk on duty, he is only reprimanded, or perhaps, in a very aggravated case, deprived of his commission; while the private, who commits the same fault, has his flesh torn off his bones, by the cruel and ignominious application of the lash. Five hundred lashes are a punishment to which courts martial made no hesitation of condemning a private in the army for drunkenness.

The privilege of being tried by his peers or equals, by men enjoying the same rights as himself, is the constant boast of Englishmen. It is one of the most essential qualifications of the Great Charter, which enacts that no subject shall be seized, or imprisoned, or divested of his property, or be banished, or in any shape or way molested, injured, or damaged, *nisi per legale iudicium parium suorum vel per legem terre*;

unless by the legal verdict of his equals, or the law of the land. But when once the citizen becomes a soldier, all this protection is forfeited. An officer is indeed tried by other officers, but the private is never tried by his peers or equals, but by a jury of officers, who act also as his judges. We should think it a very strange mode of administering justice, were an offender, who had attempted to obstruct the execution of the revenue laws, tried by a jury of excise officers; or a person, accused of a libel on government, tried by a jury of cabinet ministers, or a batch of treasury clerks. But in every quarrel between an officer and a private, the interests of the officers who judge, and those of the private who is judged, are quite as directly opposed as in either of the two cases we have supposed. An "*esprit de corps*" induces every officer, sitting on a court martial, to stretch his authority to the utmost verge, in order to support the members of his own order, and they endeavour to justify themselves by affirming that, without severity, all discipline and subordination would be at an end. But this defence is a stale doctrine. The Janizaries of the Sultan held the same argument, and the ancient senate of Venice would undoubtedly have insisted that all good order would have been broken up, if a plebeian could have dragged a senator, who struck him, to the same ignominious punishment to which the plebeian would have been condemned, had he struck the senator. The fact is that, wherever an inequality of rights in their mutual intercourse has been established between the different orders of a state, the governing order has always been fully convinced that any abridgment of its rights over the other orders would instantly lead to the most horrible confusion. But experience, that sure and only test of truth in regard to human actions, has in the fullest manner refuted these iniquitous and interested theories.

In addition to the aristocratical inequalities already mentioned, there prevail in the British army many other grievances and severities, which arise from martial law, and which operate for the most part exclusively on the private. Even were we to suppose, (and it is needless to say that the supposition is monstrous,) that sufficient and even-handed justice might be administered to men who are not tried by their peers, the manner in which courts martial are constituted and conducted must prove intolerably revolting to any man who has lived under the civil laws of England. In general courts martial, indeed, thirteen officers are required to be present; although only two thirds of them are required to concur even in a sentence of death. But regimental courts martial, which have the power of inflicting the most severe and ignominious punishments, instead of being equal in number to a jury in a court of law, may consist of only three members, and never exceed five. These men, be it recollected, are both judges and jury, deciding both

the question of law and the question of fact. By the 45 of George the Third, cap. 16. 19. the president of this court must have attained to the rank of captain; but the rest may, and in general do, consist of subalterns, of young uneducated men, of raw youths and beardless striplings, just escaped from the trammels of school, and eager to give proofs of their manhood. Though the president be a captain, of what avail is that, since rank in the army is bought and sold, and the Horse Guards converted into a huckster's shop? Three to five men of this description, unversed in law, generally illiterate, untinctured by historical research, ignorant of the philosophy of the mind, and unskilled in the maxims of jurisprudence or the principles of law, are permitted to decide upon the criminality of a private under their command, and to adjudge him to any punishment short of life and limb.

It may be said that the legislature permits an appeal to a general court martial. This is true; but, though the individuals composing it are of course different from those who pronounce the first sentence, yet they belong to the same caste, and their sympathies are not with the private, but with the officer. We must also recollect that the appellants still remain under the command of those against whose decision they protest, so that they dare not appeal, lest such an act should be remembered on a future occasion. The dread which privates feel of the consequences, makes them rather put up in silence with the most barbarous treatment. A general officer states that "although thirteen years experience of regimental duty had caused many a harsh and many an unjust sentence to come under his observation, yet it had never occurred to him to hear of a single appeal to a higher court."* The privilege, therefore, is almost nugatory.

But if the judicial tribunals, before which the privates are arraigned, are constructed upon principles subversive of constitutional liberty, the arbitrary, excessive, and ignominious punishments inflicted by them are hostile to every sentiment of humanity and justice.

The adaptation of punishment to crime has been insisted on by Montesquieu, Beccaria, Blackstone, Bentham, and indeed by all writers on criminal jurisprudence. Whatever deserves the name of penal justice ought to include a graduated scale of punishments, and these should be clearly defined. These rules are glaringly violated in martial law, which merely recounts those crimes, which incur the loss of life and limb, but all other breaches of discipline are left to the discretion of the officers. Hence it happens that, as the three or five officers who compose the regimental court martial are cool or passionate, humane or tyrannical, the offender who incurs a punishment not extending to life and limb, may by this system be sentenced either to a day's confinement, or

* Brigadier General Stewart's *Suggestions for the Improvement of the Military Force*, page 41.

to a thousand lashes, if he can endure them without having his soul and body torn asunder. How systematically cruel is this odious form of torture! The unhappy victim is tied up in such a manner as to remain motionless, while his flesh is torn off his limbs by the lash. That the unfortunate wretch may not escape by death from his sufferings, the surgeon stands to decide how long the executioner may continue to ply the infernal whip without extinguishing life. Should he begin to faint before his sentence is completed, he is taken down from the triangle or halberds to which he was bound, and led away to confinement. Here he remains till his strength is somewhat recruited and the skin begins to cover his wounds. In this state he is again led out to punishment; his half healed wounds are laid open by the lash; and his temporary respite compensated by the aggravated torture which this must produce. The same treatment is successively repeated until the criminal has received the number of lashes awarded.

A flogging round the fleet is even still more horrible. Supposing that ten vessels are moored off Spithead, or any other place, and a sailor is sentenced to receive two hundred lashes. He is put into a boat and rowed along side the ship of the senior in command. There he receives twenty lashes, and is pulled up to the next ship, according to the rank of the commander, which may be half a mile distant or more, and there receives another twenty. This operation is repeated to each of the ten vessels, until the two hundred lashes are inflicted, after which the unhappy victim is put into a hospital, out of which scarcely a single sailor, who receives this form of punishment, ever walks out alive.

Talk of the Inquisition, its pincers, its thumb screws, its searing irons! why an *Auto-da-Fé* is humane compared with this abhorrent scourging. England, the land of liberty, boasting that torture is banished from her criminal code; England calling herself the admiration of the world and the envy of surrounding nations, still tolerates this hellish and unchristian villainy against the brave defenders of her flag! The lives of our soldiers and sailors are indeed intended to be spared, and their limbs not to be maimed. If their bones do happen to be beaten to a jelly, they are not designedly broken; but their skin, and flesh, and blood, are torn and spilt without mercy. To all this, the torture of the mind must be superadded, so that, if the physical life be spared, the moral death is complete.

The system of naval and military flogging was surely conceived in the spirit of Draco, sanguinary, remorseless, inhuman, diabolical. If a lawgiver were to devise a punishment for the crime of parricide, could his invention frame aught more terrific and appalling than the lingering tortures permitted in England. Infinitely more horrible does this ferocity appear, when we consider the nature of the offences for which a

fellow creature may be scourged. A casual indiscretion, which would have been altogether overlooked in an officer or a citizen; accidentally getting drunk; being absent from quarters a few minutes after the appointed hour, or even some trifling inaccuracy in dress or behaviour;—such are the crimes on account of which the private soldier is frequently punished by the heart-rending tortures which we have faintly attempted to describe. “How many,” exclaims Sir Robert Wilson, who speaks of what he had often personally witnessed, “how many soldiers, whose prime of life has been passed in the service, and who have behaved with unexceptionable conduct, have eventually been whipt for an accidental indiscretion; an absence from tattoo-beating, or even for wearing a dirty shirt.”* Can any examples more repugnant to the principles of natural justice, or constitutional liberty, or to the criminal laws of England, be produced from the history of any nation, than such excessive punishment for offences.

If the privates in the army are generally collected from the most reckless and depraved classes of the community, the major part of the officers are usually appointed from the most illiterate and frivolous ranks. Boys of talent are educated for the church, or the bar, or the medical profession: but those who manifest an obtuseness of understanding, are immediate candidates for a military commission. Thus it happens that a raw and unfledged stripling, who cannot scan a line in Horace, translate a page of Tacitus, solve a problem in Euclid, or work a quadratic equation in Algebra, is yet entrusted with discretionary power in a question of martial law, and empowered to tear the flesh off the bones of many better men than himself. Almost all our officers of most distinguished rank and command have openly expressed their disgust at this brutal licence, with the exception of Wellington and his parasites, who wish to dragoon the oppressed Irish into servitude: but against these sworn enemies of national liberty we can bring forward the names of the late Duke of York, Sir Ralph Abercrombie, Lord Hutchinson, afterwards Earl Donoughmore, Lord Moira, and Lords Nelson and Collingwood. But we really feel ashamed to cite names to support principles. Perish the army and navy, say we, if it can only be kept together by the cat-o-nine-tails!

Is it astonishing, if the ranks of the army are filled with the refuse and outcasts of the people! What man, who respects himself, would serve for a shilling a day under these tyrannical regulations? Who would voluntarily place himself at the mercy of a court martial? What father or mother would thus expose their child to worse than negro tortures? Who would willingly place himself without the pale of the law of the land, and submit to the caprice of a despotic tribunal?

* Sir Robert Wilson's Enquiry, page 61.

Let us fearlessly declare the truth : The existing system of military discipline banishes out of the forces all respectable men, while it makes them a refuge for every vagabond : it creates the evil, which it then so unmercilessly punishes : it makes the private a slave, and converts the officer into a coxcomb or a despot, not unfrequently both : it makes the army a hot-bed for rearing a rank and noxious aristocracy :

Those gilded flies

That, basking in the sunshine of a court,
Fatten on corruption, what are they ?
—The drones of the community ; they feed
On the mechanic's labour : the starved hind
For them compels the stubborn glebe to yield
Its unshared harvests : and yon squalid form,
Leaner than fleshless misery, that wastes
A sunless life in the unwholesome mine,
Drags out in labour a protracted death,
To glut their grandeur ; many faint with toil,
That few may know the cares and woes of sloth.

Secondly : The situation of a private soldier in the army, and that of a common sailor in the navy, are rendered peculiarly discouraging by their being deprived of all chance of bettering their condition, either by obtaining high rank, or receiving an augmentation of pay.

Every profession has its blanks and prizes, its worse and its better situations ; and though all, who enter into any one of them, are aware that but few will succeed in reaching the top of the ladder, yet so long as each has a chance, many will be induced to hazard the competition. But if the son of a poor man joins the ranks, he sees at once the boundary of his career, for the aristocratical construction of the army prevents him from rising above the grade of a non-commissioned officer. From this cause, the private is accounted a person in a mean and degraded situation, and his exaltation to the rank of an officer would be deemed an intrusion into a sphere which is debased by his admission. The man who has acquired his commission in the way of traffic, or by the unmeritorious channel of interest, is accounted more honourable than the man who, by superior merits, has forced his way upwards in spite of the almost insuperable obstacles which are planted in his way.

While the private in our forces is thus precluded from the hopes of bettering his condition in his own profession, he is at the same time prohibited on the pain of death from either transferring his industry to any other pursuit or discontinuing his military labour. In civil occupations, such a restriction would be deemed an intolerable hardship : and though the statute of apprenticeship places labour under certain limitations, yet no man is required to indenture himself for life, nor is any punished with death if he transfers his industry from one species of trade to another, or even refuses to work altogether. But such is not

the case with the private: if he deserts, he forfeits his life. Such was, the tenure of servitude imposed on the negro slave when bought in the West Indies with the money of the planter. When we reflect coolly on these facts, and consider the situation of a private soldier, in consequence of the provisions of martial law, and the manner in which he is precluded from the hope of bettering his condition in the profession, we can only wonder that any man, with a grain of sense, should be tempted voluntarily to put himself in this situation, when it is death to him afterwards to attempt to escape from it.

These remarks are intended to show that if the army is disgraced by having its ranks filled with the outcasts of society, this evil is caused by the cruel, unjust, and absurd system established by the government. If martial law were abolished, and if promotion was made to depend entirely on professional skill; if the field of competition was thrown open, and the purchase of commissions prohibited; under such a plan, young men of reputable family would gladly join the ranks, as they do in France, and cheerfully carry a musket, when they saw in the distance the chance of wearing a pair of epaulets. In times of danger, a bounty is offered for recruits, and, during peace, the serjeant intoxicates a country lout, slips a shilling into his hand, and thus decoys him into the service. How clumsy, how degrading, how roguish, are these contrivances among a people who are eternally boasting of their liberty, their manliness, and their intelligence! Instead of allowing natural influences to come into play, they are sedulously and systematically repressed: the unsuspecting fool is lured by a paltry bribe, while the miscreant is enticed by the prospect of an idle life. Thus are the forces levied; and then we are told that nothing can maintain persons so selected in habits of discipline, but the lash; yet surely, the persons who uphold such a flagitious system are more deserving of the whip, than the dupes and victims of their oppression.

In a national point of view, the consequences of this mode of recruiting the army are most dangerous to constitutional liberty. No sooner does the soldier put on his red coat, than he forgets that he is a citizen. He is taught the military creed of implicit obedience to his officers, who are usually drawn from the aristocracy, or the dependents of the aristocracy, who have no sympathies with the working classes. In fact, the common form of expression among the military begets a notion that they are not the servants of the people; they talk of carrying the king's commission, and receiving the king's pay, without ever reflecting that the whole fund comes out of the pockets of the industrious and the scientific. The private sinks to a slave, while the officer becomes a despot, under the provisions of martial law.

The army is the only profession in which no previous skill or know-

ledge is required or expected from those who are immediately entrusted with command. In the church, a young clergyman must undergo an examination, before he is ordained: neither a physician, a surgeon, or an apothecary, can practise, before they have received a diploma; a barrister must have kept his terms, before he can plead in the courts of law; and even in the navy, the rank of lieutenant cannot be obtained without proofs of nautical ability. All these regulations are unknown in the army; money and interest are the sole qualifications, the only paths to preferment. A lad of sixteen, raw from school, becomes an ensign, as ignorant of his duty, as the private recruit is of his, and both are placed under the tuition of the adjutant and drill-serjeant; but as the duty of an officer is more complicated than that of a common soldier, it must happen, in the great majority of cases, that the latter understands his business much sooner than the former. This would be thought a strange way of going to work in any other business. What should we think of the probable success of a manufactory, if the overseers and foremen came to the establishment as ignorant as the apprentices they were to superintend and direct? Yet, while every manufacturer and tradesman satisfies himself of the aptitude of his workmen, and proportions their wages according to their skill, no inquiry is made into the qualifications of officers in the army, who may obtain an ensigncy in the army by interest, and rise to higher rank by purchase. It seems, indeed, as if military knowledge were communicated by merely wearing a sash and sword.

But if the attainment of military promotion, through the inglorious instrumentality of money, be odious, we must take care not to adopt the plan of conferring rank by mere seniority, for this would equally render all exertion to acquire skill and knowledge nugatory. A man, who has been five years in the service, may be better fitted for command than one who has served twice or thrice that period. We, therefore, insist that promotion ought to be regulated wholly and solely by personal merit, with a view to raise the moral standard of the army, to induce young men of reputable families and liberal education to join the ranks, and to stimulate every candidate for military honours to learn thoroughly every branch of his profession. The united services are professions essentially honourable, but they are degraded by the system which now prevails. Patronage, family interests, and money, ought to be ignominiously drummed out of every regiment, and free and full scope be given to the exercise and development of all the manly energies. Is it not as disgraceful, as it is unjust, to give the command of frigates to uninformed youngsters, whose incapacity is so well known at the admiralty, that it is a rule in the service to attach a sailing master to every ship? He, in fact, is the most important officer on board, but, in rank and pay, he is far below the station he merits.

This monstrous system of monopoly is the offspring of a boroughmongering aristocracy, who have so regulated the entire machinery of the government, as to secure to the junior branches of their own families all the honours and emoluments of the State. With the single exception of the legal department, in which talent and industry are sure to meet their reward, exclusiveness is dominant. The higher grades of the army and navy,—the richest benefices in the church,—the most distinguished civil appointments at home and abroad,—all are reserved for the junior scions of noble houses. Our rulers resist all fair competition in the army, that it may be officered and commanded by the members of their own class; and even the accoutrements of what are called “crack” regiments are made costly and expensive, to prevent all but the very rich from joining them. Equally desirous are they that the privates should be ignorant, for the more they resemble animated machines, the more fitly do they suit the purposes of despotism. They are not to think, but to act: obedience, implicit and servile, is the whole of their duty.

Justice and sound policy both demand an immediate revision of the present naval and military system. Humanity insists on the abolition of flogging. Common sense repudiates the unworthy practice of purchasing rank. The national interests demand that free competition should be given to skill, dexterity, and knowledge. The country has a right to expect that every encouragement should be given to every one of its members to develop his talents, and this can only be done by the hope of reward. Now that the spirit of reform is abroad, let us indulge a hope, that it will improve the condition of the brave defenders of our native land, by casting away the cruel and degrading lash, by remodelling the martial law, and throwing open the highest ranks in the profession to the humblest private who merits promotion.

THE NATIVITY.

*Ipsi lætitiæ voces ad sidera jactant
Intonsi montes, ipsæ jam carmina rupes,
Ipsæ sonant arbusta: Deus, Deus ille Menalca!*

Vine: Ecl: V.

A solemn calm o'er voiceless nature reigns,
A viewless spell hath hush'd the hug'ring sea;
The green-wood's minstrels cease their lovely strains,
From darkling clouds the sweet blue veil is free
Which decks the realms of stainless purity;—
The earth a couch for wearied nature seems,
The sky for her a splendid canopy;—
Whilst from the East a Star of beauty beams,
Which pours its light around in glorious, hallow'd streams.

That Star hath heralded from eastern lands
Three holy men for wisdom far renown'd;
But lo, their herald motionless now stands—
The gaol is gain'd—the Babe Divine is found!—
That guiding Star hath shed its glory round
The Saviour-son of heaven's Almighty King;—
And see, with reverence solemnly profound,
To Him the wise men precious off rings bring,
And thus with hearts rejoiced their votive carol sing:—

I.

O Son of Jehovah,
Thy beauteous Star
Hath guided us hither
To Thee from afar.—
Where the grove is all perfume,
The garden delight;
Where the air is all sweetness,
The sun ever bright,—
Where the earth teems with jewels,
That land is our home—
From the gold-bearing orient
As pilgrims we come:
But the precious, the brilliant, the pure, and the sweet,
All-glorious Redeemer, we lay at thy feet.

II.

Where sweetly the softest of breezes
With the nightingale's melodies sigh;
Where summer brings forth all that pleases
And smiles in her sapphire-blue sky;—
Where the monarch of day in his splendour,
And the lovely Sultana of night,
With the beautiful orbs that attend her,
Are adored as the sources of light,—
There the Star first appear'd which has led us to Thee,
Whose effulgence will blaze when the sun shall not be.

III.

Where, like thunder-tempests howling,
Peals the sov'reign lion's roar;
Where the tiger, fiercely growling,
Gluts his jaw with human gore:—
Where, 'midst scenes of matchless sweetness,
Forms of dazzling beauty dwell;
Where, with speed of wind-like fleetness,
Darts the diamond-ey'd gazelle,—
There we dwell—to Thee we come
For a lasting heav'nly home!

The wise men cease their songs, and kneel in prayer:—
But hark! a rush of wings is heard on high,
Bright angel-forms are hov'ring in the air;
Celestial music rises in the sky,—
Low-voic'd at first, as summer breezes sigh,—
But as the minstrels leave their heav'nly sphere
And hover o'er the star-girt Deity,—
Their song's rich swell, resounding full and clear,
Transports the melting soul, and thrills the ravish'd ear!

J. D. PIERCEY.

REAUMUR.

RENÉ ANTOY FERCHAULT, lord of Reaumur, was born at Rochelle in 1683; he learned grammar at the place of his birth, and studied philosophy at the Jesuit's College at Poitiers; in 1699 he went from thence to Bordeaux at the invitation of an uncle, where he studied the civil law; in 1703, he went to Paris, and applied himself wholly to the mathematics and natural philosophy; and in 1708, being then only twenty-five years

old, he was chosen a member of the Royal Academy of Sciences in that capital, and, during that and the following year, he described a general method of finding and ascertaining all curves described by the extremity of a right line, the other end of which is moved round a given curve, and by lines which fall upon a given curve under a certain angle greater or less than a right angle. These are the only geometrical performances that he produced.

In the year 1710, he read his observation on the formation of shells, in which he proved that they grew not like the other parts of the animal by expansion, but by the external addition of new parts. He also assigned the cause of the variety, in point of colour, figure, and magnitude, which distinguishes one shell from another. During the experiments which this enquiry led him to make upon snails, he discovered a very singular insect which lives not only upon those animals, but burrows into their bodies, a situation which he never leaves unless he is forced out by the snail. This investigation enabled Reaumur to account for the progressive motion of testaceous animals of different kinds, and explain an almost endless variety of organs which the author of nature has adapted to that purpose.

He produced also the same year the natural history of cobwebs. M. Bon, the first president of the chamber of accounts at Montpellier, had shewn that the webs, made by spiders to deposit their eggs in, might be spun into a kind of silk, applicable to useful objects, but it was still necessary to determine whether spiders could be bred in sufficient numbers without an expense too great for the undertaking to bear, and Reaumur soon found that Bon's discovery was a mere matter of curiosity, and that the commercial world could derive no advantage from these webs.

It has been long known, that many marine animals adhere to solid bodies of various kinds, either by an attachment which continues during their existence, or which they can determine at pleasure; but how this attachment was formed, remained a secret, till it was discovered by Reaumur, to whose enquiries we are indebted for our knowledge of many organs and materials adapted to that purpose, of which no person had any previous conception. In the course of this enquiry, Reaumur discovered a fish different from that which furnished the ancients with Tyrian dye, but with the same property in a greater degree: upon the sides of this fish there are small grains, like those of a hard roe, which, being broken, yield first a fine full yellow colour, which, upon being exposed a few minutes to the air, becomes a beautiful purple.

About the same time, Reaumur made a great variety of experiments, to discover whether the strength of a cord was greater or less than the sum of the strength of the threads of which it consists. It was generally thought that the strength of the cord was the greater, but Reaumur's experiments proved it to be less, whence it necessarily follows, that the less a cord differs from an assemblage of parallel threads, i. e. the less it is twisted, the stronger it is.

It had long been asserted by those who lived on the sea coast, or the banks of great rivers, that, when craw-fish, crabs, and lobsters, happen to lose a claw, nature produces another in its stead. This was, however, disbelieved by all but the vulgar, till Reaumur put the matter out of dispute, and traced the reproduction through all its circumstances, which are even more singular than the thing itself.

Reaumur, after many experiments made with the torpedo, or numb-fish, discovered that its effect was not produced by a number of torporific particles, as some have supposed, but by the great quickness of a stroke given by this fish to the limb that touches it, by muscles of a most admirable structure, which are adapted to that purpose. These discoveries, however, are chiefly matters of curiosity; those which follow are of use.

It had long been a received opinion, that turquoise stones were only found in Persia; but Reaumur discovered mines of them in Languedoc: he ascertained the degree of heat necessary to give them colour, and the proper form and dimensions of the furnace: he proved also that the turquoise is no more than a fossil bone petrified, coloured by a metallic solution which fire causes to spread; and that the turquoises of France are at least equal in beauty and size to those of the east.

Reaumur also discovered the secret of making artificial pearls, and the substance necessary to give them their colour, which is taken from a little fish called *able* or *ablette*. He drew up, at the same time, a dissertation upon the true pearl, which he supposed to be a morbid concretion in the body of the animal.

Soon afterwards he published the history of the auriferous rivers of France, in which he has given a very particular account of the manner of separating the grains of gold from the sand with which it is mixed.

Among other memoirs, he drew up the following: First, concerning the vast bank of fossil shells, which in Touraine, is dug for manure, called *falun*: secondly, concerning flints, proving that they are only penetrated by a stony juice, or, if the expression may be allowed, more stonified than other stones, though less than rock chrystal: thirdly, concerning the *nostock*, a singular plant, which appears only after hard rains in the summer, under a gelatinous form, and soon after disappearing: fourthly, concerning the light of *dails*, a kind of shell fish, which shines in the dark, but loses its lustre as it grows stale: fifthly, upon the facility with which steel and iron become magnetic by percussion.

In 1722, he published a work under the title of "The art of converting iron into steel, and of rendering cast iron ductile."

The use of iron is well known under the three forms of cast iron, forged or bar iron, and steel. Iron, in the first state, is susceptible of fusion, but it is brittle and hard, and can neither be forged by the hammer, nor cut by the chisel; in the second state, it is malleable, and may be both filed and cut, but it is no longer fusible without the addition of a foreign substance; in the third, it acquires a very singular property of becoming hard and brittle, if after it has been made red hot it is dipped into cold water: the extreme brittleness of cast iron makes it unfit for the construction of any thing that is required to be supple, and still more for anything upon which it may be necessary to employ a tool of any kind after it comes out of the font, for no tool can touch it. On the other hand, the manner of converting forged or bar iron into steel, was then wholly unknown in France. But Reaumur having, in the course of other enquiries, found that steel differed from iron only in having more sulphur and more salt in its composition, undertook to discover the method of giving to iron what was wanting to make it steel, and at length perfectly succeeded so as to make steel of any quality that he pleased.

The same experiment, which convinced him that steel differed from iron only in having more sulphur and more salt, convinced him also that cast iron differed from forged iron, only by having still more sulphur and salt than steel; it was steel, with an excess of its specific difference from forged iron; he therefore set himself about taking away this excess, and he succeeded so well, as to produce a great variety of utensils in cast iron, which were as easily wrought as forged iron, and did not cost half the money. However, a manufactory set on foot in France, for rendering cast iron sufficiently ductile to be forged and wrought, was, after some time, discontinued, and no capitalist, for many years, ever prosecuted the plans of the philosopher.

For discovering the secret of converting iron into steel, the Duke of Orleans, being then regent, settled a pension on Reaumur of twelve thousand livres per annum, and, at his request, it was settled upon the academy after his death, to be applied for defraying the expences of future attempts to improve the arts.

Reaumur also discovered the secret of making tin, as it was practised in Germany; and his countrymen, instructed in that useful manufacture, no longer imported tin from abroad. He also invented the art of making porcelain. A few simple observations upon fragments of glass, porcelain, and pottery, convinced him that China was nothing more than a demi-vitrification: now, a demi-vitrification can be obtained either by exposing a vitrifiable matter to the action of fire, and withdrawing it before it is perfectly vitrified, or by making a paste of two substances, one of which is vitrifiable, and the other not: it was therefore very easy to discover by which of these methods the porcelain of China was made: nothing more was necessary than to urge it with a strong fire: if it consisted wholly of a vitrifiable matter half vitrified, it would be converted into glass; if of two substances, one of which was not vitrifiable, it would come out of the furnace the same as it went in; this experiment being made, the China porcelain suffered no alteration, but all the European porcelain was changed into glass. But when the China porcelain was thus discovered to consist of two distinct substances, it was further necessary to discover what they were, and whether France produced them. Reaumur accomplished these *desiderata*, and had the satisfaction to find, that the materials for making China porcelain were to be had in France in as much abundance, and in greater perfection, than in India. He also contrived a new species of porcelain, consisting only of glass, annealed a second time, with certain easy precautions, which, though less beautiful than other porcelain, is yet a useful discovery, considering the great facility and cheapness with which it is made.

Reaumur was the first who reduced thermometers to a common standard, so that the cold, indicated by a thermometer in one place, might be compared with the cold indicated by a thermometer in another place; in other words, he prescribed rules by which two thermometers might be constructed, that would exactly coincide with each other through all the changes of heat and cold; he fixed the middle term, or zero, of his division of the tube, at the point to which the liquor rises when the bulb is plunged in water that is beginning to freeze; he prescribed a method of regulating the divisions in proportion to the quantity of liquor, and not by the aliquot parts of the length of the tube, and

he directed how spirits of wine might be reduced to one certain degree of dilatibility.

Reaumur invented the art of preserving eggs, and of hatching them : this art had, indeed, been long known and practised in Egypt, but to the rest of the world, it was an impenetrable secret. This philosopher found out and described many ways of producing an artificial warmth in which chickens might be hatched, and some by the application of fires used for other purposes : he showed how chickens might be hatched in a dunghill : he invented long cages in which the callow brood were preserved in their first state, with fur cases for them to creep under, instead of the hen's bosom, and he prescribed proper food for them of such things as are every where to be procured in great plenty.

He found also that eggs might be kept fresh, and fit for incubation, for many years, by washing them with a varnish of oil, grease, or any other substance, that would effectually close up the pores of the shell, and prevent the contents from evaporating ; by this contrivance eggs may not only be preserved for eating or hatching in the hottest climates, but the eggs of birds of every kind may be transported from one climate to another, and the breed of those which could not survive a long voyage, be propagated in the most distant parts of the globe.

While he was employed in these researches, he was gradually proceeding in another work, *The History of Insects*, the first volume of which he published in 1734. This volume contains the history of caterpillars, which he divides into seven classes, each of a distinct kind and character ; he describes the manner in which they subsist, as well under the form of caterpillars, as in the chrysalis state ; the several changes which they undergo ; their manner of taking food, and spinning their webs. The second volume, which was published in 1736, is a continuation of the same subject, and describes caterpillars in their third state, that of butterflies, with all the curious particulars relating to their figure and colour, the beautiful dust with which they are powdered, their coupling and laying their eggs, which the wisdom of Providence has, by an invariable instinct, directed them to do, where their young may most conveniently find shelter and food. The third volume contains the history of moths, not only of those which are so pernicious to clothes and furniture, but also of those which live among the leaves of trees, and in the water ; the first is perhaps the most useful, because Reaumur has given directions how the cloth-moth may be certainly destroyed : but the second abounds with particulars that are not only curious, but wonderful in the highest degree.

This volume also contains the history of the vine-fretter, an insect not less destructive to our gardens than the moth to our furniture, with an account of the worm that destroys them, and the galls produced upon trees by the puncture of some insect, which often serve them for a habitation. From the gall, or gall nut, properly so called, Reaumur proceeds, in his fourth volume, to the history of those protuberances which, though galls in appearance, are really insects, but condemned by nature to remain for ever fixed and immoveable upon the branches of trees, and he discloses the astonishing mystery of their multiplication. He then proceeds to give an account of flies with two wings, and of the worms in which they pass the first part of their lives : this article includes the very singular history of the gnat. The fifth volume treats

of four-winged flies, and among others of the bee, concerning which he refutes many groundless opinions, and establishes others not less extraordinary than those which he refutes.

The bee is not the only fly which makes honey: many species of the same genus live separate, or in little societies. The history of these begins the sixth and last volume, and contains a description of the recesses in which they deposit and secure their eggs, with proper nourishment for the worms they produce till their transformation. The author then proceeds to the history of wasps, as well of those which live separate, as in companies, to that of the lion-pismire, the horse stinger, and lastly to the fly called an ephemeron, a very singular insect which, after having lived in the water three years as a fish, lives as a fly only one day, during which it suffers its metamorphosis, couples, lays its eggs, and leaves its dead carcase upon the surface of the water which it had inhabited. To this volume there is a preface, containing the wonderful discovery of the polypus, an animal that multiplies without coupling, that moves with equal facility upon its back or its belly, and each part of which, when it is divided, becomes a complete animal, a property then thought singular, but since found to be possessed by several other animals.

It had long been a question among anatomists, whether digestion is performed by solution or trituration; Reaumur, by dissecting a great number of birds of different kinds, and by many ingenious experiments, discovered that the digestion of carnivorous birds is performed by solution, without any action of the stomach itself upon the aliments received into it; and that, on the contrary, the digestion of granivorous birds is effected wholly by grinding, or trituration, which is performed with a force sufficient to break the hardest substances.

During the course of these experiments upon birds, Reaumur remarked the amazing art with which the several species of these animals build their nests. His observations on this subject he communicated to the Royal Academy of Sciences in Paris, in 1756, and this memoir was the last that he published. He died by a hurt in his head received from a fall at Bermodiére, in the province of Maine, upon the estate that had been left to him by a friend, on the 17th of October, aged seventy-five years.

He was a man of great ingenuity and learning, of the strictest integrity and honour, the warmest benevolence, and the most extensive liberality.

TRANSLATIONS FROM SCHILLER'S "MAID OF ORLEANS."
THE ROYAL CAMP AT CHINON.

ACT I.

CHARLES OF FRANCE—DUNOIS (THE BASTARD OF ORLEANS)—ARCHBISHOP OF
RHEIMS—AGNES SORREL—DUCHATTEL, &c. &c.

(*A number of voices behind the scenes.*)

Hail to the Warrior-virgin, the Deliverer.

CHARLES.—She comes—

(*To Dunois.*) Take thou my wonted place, Dunois!

This wonder-working maid must first be questioned;

When, if she truly be inspired by Heaven,

She will discover which of us is king.

(*Enter JOAN OF ARC, attended by officers, knights, &c. who occupy the whole of the back ground, whilst she signs forward with noble demeanour, and regards the persons present in regular succession.*)

DUNOIS.—*(After a deep and solemn silence.)*

Art thou the wondrous maiden—

JOAN.—*(Interrupts him, regarding his person with openness and dignity.)*

Bastard of Orleans! thou wouldst tempt thy God!—

Rise from that seat which is not meet for thee—

To this man here, thy sovereign, am I sent.—

(She approaches the king with a decided bearing, bends one knee only, rises again immediately, and retires to a short distance. All present indicate deep astonishment. Dunois leaves his seat, and the royal attendants form a larger circle round the king.)

CHARLES.—Until this day thou ne'er hast seen my face,
Whence then proceeds thy knowledge of my person?

JOAN.—I saw thee where no eye but God's beheld thee:—

Thou mayst remember, that, some few nights past,
When round thee all were buried in deep sleep,
Thou, rising from thy couch, with care-fraught breast,
Didst offer up to Heaven an ardent prayer.—

Let these retire, and I will name to thee
The subject of that prayer.—

CHARLES.—What I to God
Confided, need not be concealed from man:—
If thou canst name what I of Heaven implored,
I must believe that thou art Heaven-inspired.

JOAN.—Three chief petitions were by thee preferred,
And Dauphin, listen whether I can name them.—

Thy first entreaty was, that if possessions
Unjustly gained were to thy crown attached,
If weighty crimes, descending unabsolved
From thy great ancestors, had drawn upon us
This direful war—that God would now accept
Thee as a sacrifice for thy dear people,
And o'er thy willing head alone pour out
His anger's overflowing cup.—

CHARLES.—Say, wondrous mortal, whence and who thou art!

(All exhibit their astonishment.)

JOAN.—A second prayer thou didst to Heaven address:

That if it were God's will and firm decree
To wrest the sceptre from thy ancient race,
And take all from thee which thy ancestors,
The kings, in this fair realm possessed,
Thou wouldst beseech Him to preserve for thee
Three blessings only: A contented breast,
The love of thy dear Agnes, and a friend.

(The king, violently agitated, conceals his face; a movement of utter astonishment amongst the auditors. After a pause.)

Shall I now name thy third petition also?

CHARLES.—Enough! I credit thee! Thus much was ne'er
By mortal fathomed! Thou art sent of God.

ARCHBISHOP.—Who art thou, holy and mysterious maiden?
What happy land produced thee? Speak? Who are
The Heaven-loved parents that have given thee being?

JOAN.—My name, most reverend lord, is simply Joan,
And I am but a shepherd's lowly daughter,
Born in my sovereign's district Dom Rami,
Which lies within the parish land of Toul;
And from my childhood upwards have I tended
My father's flocks—and much and oft have heard
Our friends of these proud islanders discourse:—
That they had crossed the ocean to enslave us,
And force us to obey an alien lord,
One that would never love the sons of France;
And that already our fair city Paris,
With nearly all the realm, was in their hands.
Then did I supplicate with earnest prayer
The Saviour's mother to avert from us
The dire disgrace of bearing foreign chains,
And to preserve for France its native king.
And by my village home, since ancient days,
Hath stood an image of the Holy Mother;
Near which, high tow'ring, stands a sacred oak
Famed for the countless, mighty miracles
Which by its heaven-bless'd properties are wrought.
And oft I loved in this tree's shade to sit,
Watching the flocks, (my heart still drew me thither),
And when among the hills a lamb had strayed,
A dream would ever show me where it was,
Whilst I was slumbering 'neath my sheltering oak;

And once, when I a long night through had sat
 Beneath its boughs, and, lost in sweet devotion,
 Repelled dull sleep, the Holy Virgin's self
 To me appeared, high bearing in her hand
 A colour and a sword, but in all else
 Like me as a young shepherdess attired;—
 Addressing me with smile benign, she said:—
 "Tis I, arise, Johanna! Leave the flocks,
 The Lord calls thee to nobler occupations!
 Here, take this flag, gird on this mystic sword,
 With it annihilate thy people's foes,
 Conduct thy sovereign's son to Rheims
 And crown him with the kingly diadem."
 But I replied—"O how dare I attempt
 A deed so mighty, I, a tender maid,
 In murderous battle's deadly art untaught."
 Then, frowning, she:—"The chaste and pious virgin
 May compass many a glorious deed on earth
 If she resist the power of earthly love.
 Behold myself! I was like thee a spotless maid
 When, bless'd of God, I bore the Lord Divine,
 Divine am I!" My eyelids then she touched,
 And lo! as suddenly aloft I gazed,
 The glorious heavens were thronged with angel-babes
 Bearing fair lilies in their fairer hands,
 While sweetest sounds died 'mongst the skies away.
 And thus for three successive nights appeared
 The Virgin, still exclaiming: "Rise, Johanna!
 The Lord calls thee to higher occupations."
 But on her third night's awful visit, she,
 With anger in her looks, rebuked me thus:—
 "On earth the woman's duty is obedience,
 And calm endurance marks her lot severe;
 By bondage strict shall she be purified:
 They who have served on earth are great in Heaven."
 And speaking thus, she dropped her shepherd-garb,
 When, lo! the Queen of Heaven she stood confessed,
 Transcendent 'midst a sea of dazzling suns:—
 Then, borne on golden clouds, her form divine
 Soared, slowly vanishing, to realms of bliss.

ACT. II.

The scene is gradually developed. The English camp in flames—Drums—Flight—Pursuit. After some time Montgomery appears, hurrying to and fro with the utmost trepidation for a place of concealment from the victorious French, but above all, from the dreaded JOAN OF ARC—Suddenly, she is descried at some distance—He stands horror-struck—JOAN advances a few steps, and then stops again.—At length, when he appears to have summoned sufficient courage to approach her, she unexpectedly stands before him.

JOAN.—Ha! death to thee! A British mother bore thee.

MONTGOMERY.—(*Prostrating himself before her, and throwing aside his sword and shield.*)

Hold! Hold, dread being! Slay not the defenceless!
 Lo, at thy feet, unarmed, I sue for mercy.—
 Leave me the light of life—and take a ransom!
 Rich in possessions dwells my sire at home
 In lovely Cambria, where, through verdant meads,
 The winding Severn rolls its silv'ry stream;
 There fifty villages all own his sway,
 And when he learns that I am in your power,
 He'll purchase my release with sums of gold.

JOAN.—Deluded fool! lost wretch! know, thou art fallen
 Into the direful hands of Joan of Arc!—
 Hope not for ransom or deliverance from her.—
 If thy ill stars had to the crocodile's power,
 Or to the spotted tiger's claws consign'd thee,
 If thou hadst robb'd the lioness of her young,
 Thou mightst perhaps find mercy and compassion;—
 But he that meets the fatal virgin—dies!
 For to the inviolable Spirit-pow'rs
 I'm by an awful, binding compact pledg'd
 To slay each mortal whom the God of Battles,
 Pregnant with fate, throws in my path.

MONTGOM.—Thy words are dreadful, but thy look is mild;
 Thou art not terrible when closely viewed;
 My heart attracts me to thy lovely form,—
 O by the mildness of thy tender sex,
 Let me beseech thee, maid—Have mercy on my youth!

JOAN.—Conjure not by my sex! Call me not woman!
 For like the bodiless spirits that ne'er marry
 As mortals do, I may not link myself
 To earthly man.—This mail enfolds no heart.

MONTROOM.—O by the sacred laws of sovereign Love,
To whom all hearts pay homage, I conjure thee!
On Severn's banks I left a beauteous bride,
Fair as thyself, and blooming in youth's charms,
She, weeping, waits for her beloved's return.—
O if thou e'er hast lov'd thyself and hopest
For bliss from Love, part not, thus cruelly,
Two hearts link'd by the sacred bond of Love!

JOAN.—The gods whom you invoke are earthly all,
To me not sacred, and by me not revered.—
Nought know I of the bond of love you urge,
And never *will* I know its vanities.—
Defend thy life—for death now summons thee.

MONTROOM.—O then compassionate my sorrowing parents
Whom I have left.—Thou, too, hast doubtless quitted
Parents, whom anxious fears for thee distress.

JOAN.—Ill-fated wretch! And dost thou dare remind me
How many mothers of this land, through you,
Are childless left, how many tender children
Fatherless, and affianc'd brides, lone widows!—
Let England's mothers, therefore, also feel
That wild despair, and shed those bitter heart-wrung tears,
Which the reft wives of France, unpitied, weep.

MONTROOM.—'Tis hard to die in foreign land, unwept.

JOAN.—Who bade you seek that foreign land, to waste,
And desolate the teeming fields of Industry,
To chase us from our dear, paternal hearths,
To hurl the flaming torch of ruthless war
Into our cities' peaceful sanctuary!—
Already in your vain deluded hearts
Ye dreamt of casting on the free-born Frank
The infamy of fetter'd servitude!—
Ye deem'd it easy work to chain this land,
Like a light skiff, to your proud ocean-ship!
Ye fools! The royal arms of France hang fix'd
To God's high throne; and sooner might ye wrest
A star from Heaven's bright chariot, than one village
From out this never-separable realm!
Come is the hour of vengeance; ye shall not, alive,
Retrace your passage o'er the sacred waters,
Which God has pour'd between your shores and ours
As severing bounds, which ye have, reckless, pass'd.

MONTROOM.—(*releases her hand.*) My doom is seal'd—I feel the direful grasp of death.

JOAN.—Die, friend! Why show this dastard-fear of death,
Th' inevitable fate of all on earth?
Behold me—me—a maid—a shepherdess;
Unmeet to wield the sword is this light hand.
Accustomed to the harmless shepherd-crook;—
But torn away from my lov'd father's arms,
My sister's bosom, and my native plains,
Must I now *Aere*—I *must*—the voice of God
Impels and guides me, not my own desire—
To *your* destruction, not to *my* delight—
Here *must* I stalk, a terror-striking spectre,
Deal death around, and be at last its victim!—
For, ah! these eyes will not behold the day
Of glad return—*my* destiny ere then
Will be fulfill'd—fulfil thine also, youth!
Manfully grasp thy sword, and let us both
Combat for life—'tis deem'd a noble booty.

MONTROOM.—(*rises.*) On, then! If thou art mortal like myself,
And arms may wound thee, my weak hand, perchance,
May be design'd to hurl thee down to hell,
And thus end England's strife with subject France.
To God's all-gracious hands I yield my fate.
Do thou, curs'd fury, call the fiends of hell
To aid thy arm!—Defend thy recreant life!

(*He seizes his sword and shield and rushes towards her. Martial music sounds at a distance.—After a brief conflict Montgomery falls.*)

JOAN.—Thy foot bore thee to death—Thou hast thy doom!

(*She turns from the corpse, and stands lost in thought.*)

Virgin sublime! thy power is mighty in me!
Thou girdst this unwarlike arm with strength,
Thou steel'st my breast against entreaty's voice.
Compassion melts my soul, my hand doth tremble,
As if 'twere violating God's pure fane,
At the bare thought of shedding my foe's blood—
Nay, ev'n the naked scabbard makes me shudder;
But soon as need requires, I feel new strength,
And in my trembling hand the sword, self-guided
As if of life possess'd, deals out sure death!

CHRISTINA, QUEEN OF SWEDEN.

CHRISTINA was the daughter of the great Gustavus Adolphus, king of Sweden, and Maria Eleonora of Brandenburg. She was born on the 18th of December, 1626 : during the queen's pregnancy, the astrologers, whose art was then much in fashion, predicted that the child would be a boy, who was destined to maintain all the glory that his father had acquired. The prejudice which these predictions produced, joined to some false appearances, at first deceived the women, and they deceived the king into an opinion, that he was the father of a son ; but his sister Catherine discovered and told him the truth. " Let us still be thankful to God," said Gustavus, " I trust this girl will be as good as a boy ;" adding with a smile, " she must certainly be clever, for she has deceived us already."

Gustavus took great pleasure in carrying her about with him, when he went a journey ; and when she was about two years old, he took her to Calmar. The governor had the precaution to ask, whether he should give his Majesty the usual salute, by firing the cannon, fearing that the noise might probably frighten the child : the king hesitated a little at first, but, after a short pause, " Fire," said he, " for the girl is a soldier's daughter, and she should be accustomed to it betimes." They fired, and the child, so far from being frightened, clapped her hands, and, in her imperfect language, cried, *more, more*. This natural intrepidity greatly pleased Gustavus, and he afterwards caused her to be present at a review : perceiving the delight she took in the military *spectacle*, he exclaimed, " Very well, I'll warrant I take you where you shall have enough of this diversion." But he died too soon to keep his word ; and Christina laments, in her memoirs, that she was not permitted to learn the art of war under so great a master ; she regretted also, during her whole life, that she never marched at the head of an army, nor so much as saw a battle.

The tears which she shed when her father set out for his German expedition, were regarded as a bad omen, and she betrayed the hero himself into tears, by an act of childish simplicity, which was, however, characteristic of the childhood of Christina. She took leave of her parent by a little compliment which had been made for her, and which she had learned by heart. When she repeated it, Gustavus, ruminating, and being asbtracted in thought, did not hear what she said ; the child, not content with having said her lesson, and performed the task that had been assigned her, pulled him by his sleeve to excite attention, and began to repeat her little speech again : at this, the father, bursting into tears, caught her in his arms, and after pressing her to his breast for some minutes, gave her to an attendant, without speaking ; an incident which put some of the spectators in mind of the parting of Hector with Astyanax.

The states of Sweden being assembled, after the death of Gustavus, the marshal of the diet proposed to crown Christina, by virtue of a decree which had declared the daughters of the posterity of Charles the Ninth, the father of Gustavus, capable of succeeding to the throne. A member of the order of peasants, whose name was Larssen, when he heard this proposition, cried out, " Who is this Christina, the daughter of Gustavus ? let us see her ; let her be brought to us."

The marshal immediately went out and returned with Christina, whom he brought in his arm into the midst of the assembly. The peasant went up to her, and having considered her very attentively, cried out, " Yes, this is she herself ; she has the nose, the eyes, the forehead of Gustavus,

and we will have her for our sovereign." She was immediately seated on the throne, and proclaimed queen; and from that time she showed great pleasure in appearing in her regal capacity.

Russia, having sent ambassadors soon after her accession, to ratify its alliance with Sweden, the attendants of Christina were apprehensive that the rude appearance of these strangers, their great number, their long beards, their uncouth habits, their singular address, and the ferocity even of their politeness, would alarm her; but she, who had been delighted with the apparatus of war, was not likely to be terrified by the ministers of peace. She not only received them without the least appearance of discomposure, but assumed an air of importance, and a look which seemed intended to strike them with awe, and which was not without its effects, for it impressed them with a sense of her dignity, as the daughter of a hero and a king.

Christina discovered, even in her infancy, what she afterwards expressed in her memoirs,—an invincible antipathy for the employments and conversation of women! and she had the natural awkwardness of a man, with respect to all the little works which generally fall to their share. She was, on the contrary, fond of violent exercises, and such amusements, as consist in feats of strength and activity; she had also both ability and taste for abstract speculations, and amused herself with language and the sciences, particularly those of legislation and government; she derived her knowledge of ancient history from its source; and Polybius and Thucydides were her favourite authors. While she was thus improving her infancy, by studying the arts of peace, the Generals Weimar, Banier, Torstenson and Wrangel, sustained the glory of the Swedish arms in the thirty years' war, which rendered Germany at once desolate and illustrious.

Christina having attained her eighteenth year, on the 18th of December, 1644, took the reigns of government into her own hands, and was in every respect able to manage them. As she was the sovereign of a powerful kingdom, it is not strange that almost all the princes of Europe aspired to her bed: among others were the Prince of Denmark, the Elector Palatine, the Elector of Brandenburg, the King of Portugal, the King of Spain, the King of the Romans, Don John of Austria, Sigismund of Rakocci, count and general of Cassovia; Stanislaus, king of Poland: John Cassimir, his brother, and Charles Gustavus, duke of Deux Ponts, of the Bavarian Palatinate family, son of her father the great Gustavus's sister, and consequently her first cousin. To this nobleman, as well as to all his competitors, she constantly refused her hand, but she caused him to be appointed her successor by the states. Political interests, difference of religion, and contrariety of manners, furnished Christina with pretences for rejecting all her suitors; but her true motives were the love of independence, and an unconquerable aversion which she had conceived, from her infancy, against the yoke of marriage. "Do not force me to marry," said she to the states, "for if I should have a son, it is not more probable that he should be an Augustus than a Nero."

An accident happened in the beginning of her reign, which gave her a remarkable opportunity of displaying the strength and equanimity of her mind.

As she was at the chapel of the castle of Stockholm, assisting at divine service with the principal lords of her court, a poor wretch, who was disordered in his mind, came to the place with the design of assassinating her.

This man, who had been one of the tutors of the college, and was then in the vigour of his age; chose for the execution of his plan the moment in which the assembly was performing what in the Swedish church is called AN ACT OF RECOLLECTION, a silent and separate act of devotion performed by each individual kneeling, and hiding the face with the hand. Taking this opportunity, he rushed through the crowd, and mounted a ballustrade within which the queen was upon her knees. The Baron Brahi, chief justice of Sweden, was alarmed, and cried out : and the guards crossed their partisans, to prevent his coming further ; but he struck them furiously aside, leaped over the barrier, and being then close to the queen, made a blow at her with a knife, which he had concealed, without a sheath, in his sleeve. The queen avoided the blow, and pushed the captain of her guards, who instantly threw himself upon the assassin, and seized him by the hair : all this happened in less than a moment of time. The man was known to be mad, and therefore nobody supposed that he had any accomplices ; they therefore contented themselves with locking him up, and the queen returned to her devotion, without the least emotion that could be perceived by the people, who were much more frightened than herself.

One of the great affairs which employed Christina, when she was on the throne, was the peace of Westphalia. She had sent two plenipotentiaries to the congress : one was Oxenstiern, whose father, the grand chancellor, had been justly honoured with the entire confidence of the great Gustavus, and who had governed Sweden with an authority almost absolute, during the minority of Christina, who soon began to be weary of his yoke, which was by no means easy or light : the other was Salvius, lord privy seal, who alone had the queen's confidence, and was let into the secret purposes of her mind. He pushed on the peace with all his power, according to the queen's desire ; but Oxenstiern, on the contrary, who knew that peace would diminish the importance of his family, threw a thousand difficulties in the way : the peace, however, so much desired, and so necessary, in which so many clashing interests were reconciled, and so many claims ascertained, was at last concluded in the month of October, 1648. The success of the Swedish arms rendered Christina the arbitress of this treaty, at least as to the affairs of Sweden, to which this peace confirmed the possession of many important countries. Christina, at the conclusion of this affair, rewarded Salvius by raising him to the rank of senator, a dignity which till then had always been a prerogative of birth, but which Christina thought she had a right to confer upon merit.

No public event of importance occurred during the rest of Christina's reign, for there were neither wars abroad, nor troubles at home. This quiet might be the effect of chance, or it might also be the effect of a good administration, and the great personal reputation of the queen ; and the love her subjects entertained towards her, ought to lead us to this conclusion.

Her reign was that of learning and genius : she drew about her, wherever she was, all the distinguished characters of her time ; Grotius, Pascal Bochart, Des Cartes, Cassendi, Saumaise, Naudé, Vossius, Heinsius, Meibom, Scudery, Menage, Lucas, Holstenius, Lambecius, Bayle, Madame Dacier, Filicaia, and many others. The arts never fail to immortalize the prince who protects them, and almost all these illustrious persons have celebrated Christina in poems, letters, or literary productions of some other kind, the greater part of which are now forgotten. They

form, however, a general cry of praise, and a mass of testimonials, which may be considered as a solid basis of reputation. Among the few of these pieces that are still particularly remembered, is a Latin epigram, in which Bochart draws an ingenious parallel between Christina and the queen of Sheba :

Illa docenda suis Salamonem invisit ab oris :
Undique ad hanc docti, quo doceantur, eunt.

Christina may, however, be justly reproached with want of taste in not properly assigning the rank of all these persons, whose merits, though acknowledged, were all unequal : particularly for not having been sensible of the superiority of Des Cartes, whom she disgusted, and at last wholly neglected. The rapid fortune of the adventurer Michon, known under the name of Bourdelot, and brought prominently into notice by her countenance and liberality, was also a great scandal to literature. He had no pretensions to learning ; and though sprightly, was indecent ; he was brought to court by the learned Saumaise, and for a time drove literary merits entirely out of it, making erudition the object of his ridicule, and exacting from Christina an exorbitant tribute, to the weakness and inconstancy of her sex : for even Christina, with respect to this man, showed herself to be weak and inconstant : when, at last, she was compelled, by public indignation, to banish this unworthy minion, she distinguished him by marks of the greatest confidence, and heaped presents upon him with a shameless prodigality. Yet he was no sooner gone, than her regard for him was at an end. She was ashamed of the favour she had shown him, and in a short time thought of him only with hatred and contempt ; and though she did afterwards correspond with him, it was only to make him subservient to her taste for literature, which he had for a time suspended, by giving him commissions for such valuable books as appeared in France, where Bourdelot was born, and whither he retired.

This Bourdelot, during his ascendancy over the queen, had supplanted Count Magnus de la Garde, son of the constable of Sweden, who was a relation, a favorite, perhaps the lover, of Christina. Madame de Motteville, who had known him when ambassador in France, says, in her memoirs, that he spoke of his queen in terms so animated and respectful, that every person concluded his attachment to be more ardent and tender, than a mere sense of official duty could have produced.

This nobleman fell into disgrace, because he showed an inclination to govern ; while Bourdelot seemed to aim at nothing more than to amuse, and concealed, under the unsuspected character of a droll, the real ascendancy which he exercised over the queen's mind and conduct.

Scudery having obtained permission to dedicate his *Alaric* to her, she was so weak as to require him to strike out of the poem some verses, in which he had complimented the Count De La Garde, who was then quite out of favour : but Scudery had the noble fortitude and energy to answer, " that he would never destroy the altar on which he had sacrificed."

About this time an accident happened to Christina, which brought her into still greater danger than that which has been already noticed. Having given orders for some ships of war to be built at the port of Stockholm, she went to see them, when she heard they were finished : and as she was going on board of them, across a narrow plank, with Admiral Fleming, his foot slipping, he fell, and he drew the queen with him into the sea, which in that place was ninety feet deep. Anthony Steinberg,

the queen's first equerry, instantly threw himself into the water, laid hold on her robe, and with such assistance as was given to him, got the queen on shore; during this accident, her recollection and presence of mind was such, that the moment her lips were above water, she cried out, "Take care of the admiral." When she was rescued from the water, she discovered no emotion either by her gesture, or countenance, and she dined the same day in public, where she gave a humorous account of her adventure.

Though at first she was fond of the power and splendour of royalty, she began at length to feel that it embarrassed her; and the same love of independence and liberty, which had determined her against marriage, at last made her weary of the crown. As, after the first disgust, it grew more and more irksome to her every day, she resolved to abdicate the throne, and in 1652, communicated her resolution to the senate. The senate zealously remonstrated against her resolve, in which they were joined by the people, and even by Charles Gustavus himself, who was to succeed her; she yielded to their importunities, and continued to sacrifice her own pleasure to the will of the public, till the year 1654, and then she carried her design into execution.

It appears, by one of her letters to M. Canut, the French ambassador, in whom she placed great confidence, that she had meditated this project more than eight years; and that she had communicated it to him five years before she carried it into effect. The ceremony of her abdication was a mournful solemnity, a mixture of pomp and sadness, in which scarcely any eye but her own was dry. She continued firm and composed throughout the whole, and as soon as it was over, prepared to remove into a country more favourable to science than Sweden.

Concerning the merit of this action, the world has always been divided in opinion; it has been condemned alike by the learned and the ignorant, the trifler and the sage; it was admired, however, by the great Condé: "How great was the magnanimity of this princess," says he, "who could so easily give up that for which the rest of mankind are continually destroying each other, and which so many, throughout their whole lives, pursue, without attaining." It appears from the works of St. Evremond, that the abdication of Christina was at that time the universal topic of speculation and debate in France.

Christina, besides abdicating her crown, abjured her religion; but this act was universally approved by one party, and censured by another; the papists triumphed, and the protestants were offended.

No prince, after a long imprisonment, ever showed so much joy as being restored to his kingdom, as Christina did in quitting hers. When she came to a little brook, which separates Sweden from Denmark, she got out of her carriage, and leaping over to the other side, exclaimed in a transport of joy, "At last I am free, and out of Sweden, whither, I hope, I shall never return," a sentiment, however, more selfish and narrow, than patriotic and liberal. She then dismissed her women, and laid by the habit of her sex: "I would become a man," said this singular being; "yet I do not love men because they are men, but because they are not women."

She made her abjuration at Brussels, where she saw the great Condé, who, after his defection, made that city his asylum. "Cousin," said she, "who would have thought, ten years ago, that we should have met at this distance from our countries." But there happened another circumstance

less likely than their meeting—the great coldness with which, after they had been drawn towards each other by mutual admiration, they came together at last, when the interview which they had both so ardently desired, took place. The Prince of Condé demanded to be received with the same honours that had been shown to the Archduke Leopold, at his interview with the queen; but this she refused. The prince, therefore, determined to see her incognito, and with that view he got into her apartment among the crowd; the queen knew him the moment she perceived him, by a picture which had been given to her, and was about to give him a reception suitable to his rank; but the prince, finding himself discovered, instantly withdrew, and, perceiving that the queen followed to bring him back, he turned about and said, “Madam, all or nothing.” From this time they never saw each other but by chance, with great coldness and mutual discontent.

The inconstancy of Christina's temper appeared from her going from one place to another; from Brussels she went to Rome; from Rome to France, and from France she returned to Rome again; after this she went to Sweden, where she was not very well received; from Sweden she went to Hamburg, where she continued one year, and then went again to Rome; from Rome she returned to Hamburg, and again to Sweden, where she was received still worse than before, upon which she went back to Hamburg, and from Hamburg proceeded again to Rome: she intended another journey to Sweden, but it did not take place, any more than an expedition into England, where Cromwell did not seem well disposed to receive her; and after many wanderings, she at last died at Rome.

It must be acknowledged, that her journeys to Sweden had a motive of necessity, for her appointments were very ill paid, though the states often confirmed them after her abdication, but to other places she was led merely by a roving disposition; and what is more to her discredit, she always disturbed the quiet of every place she came into, by exacting greater deference to her rank as ex-queen, than she had a right to expect, and by continually exciting and fomenting intrigues of state. She was indeed always too busy, even when she was upon the throne: for there was no event in Europe in which she was not ambitious of acting a leading part. During the troubles in France, excited by the faction called the Fronde, she wrote with great eagerness to all the interested parties, officiously offering her mediation to reconcile their interests, and calm their passions, the secret springs of which it was impossible she should know: this was first thought a dangerous, afterwards a ridiculous, behaviour. During her residence in France, she gave universal disgust, not only by violating all the customs of the country, but by practising others directly opposite. She treated the ladies of the court with the greatest rudeness and contempt: when they came to embrace her, she being in a man's habit, cried out, “What a strange eagerness have these women to kiss me? Is it because I look like a man?”

But though she ridiculed the manners of the French court, she was very solicitous to enter into its intrigues. Louis the Fourteenth, then very young, was enamoured of Mademoiselle Mancini, niece of Cardinal Mazarin: Christina encouraged their passion, and offered her service: “I would fain be your confidant,” said she, “if you love, you must marry.”

The murder of Monaldeschi is to this hour an inscrutable mystery: many particulars have been unfolded by the famous trinitarian friar of

Fontainebleau, who confessed himself in the gallery *des cerfs*, and who saw him assassinated, but they do not remove the veil. Whatever was Monaldeschi's crime, whatever were the rights of Christina, and however specious the pretences by which flattery and cunning influenced the supine, or corrupt lawyers to justify the murder, the fact itself was most flagitiously wicked.

It is, however, of a piece with the expressions constantly used in Christina's letters, with respect to those against whom she was offended, for she scarcely ever signified her displeasure, without threatening the life of the offender. "If you fail in your duty," said she to her secretary, whom she had sent to Stockholm after her abdication, "not all the power of the king of Sweden shall save your life, though you should take shelter in his arms."

In the affair of the Franchises, the pretended rights of which she asserted with great haughtiness, she wrote thus to the pope's officers. "Take my word, that those whom you have condemned to die, shall, if it please God, live some time longer, and, if it happens that they die a violent death, be assured they shall not die alone."

A musician having quitted her service for that of the Duke of Savoy, she was so transported with rage as to disgrace herself by using the following language, in a letter written with her own hand: "He lives only for me: and if he does not sing for me, he shall not sing long for any body. It is his duty to live only in my service; and if he does not, he shall surely repent it."

Bayle was also threatened very severely, for having said that the letter which Christina wrote, upon the revocation of the edict of Nantz, was a remnant of protestantism: but he made his peace by apologies and submission.

Upon the whole, she appears to have been an uncommon mixture of faults and great qualities, which, however they might excite fear or respect, were by no means amiable. She had wit, taste, and learning: she was indefatigable upon the throne, great in private life, firm in misfortunes, impatient of contradiction, and, except in the love of letters, inconstant in her inclinations. The most remarkable instance of this fickleness is, that after she had abdicated the throne of Sweden, she intrigued for that of Poland. She was, in every action and pursuit, violent and ardent in the highest degree; impetuous in her desires, dreadful in her resentment, and fickle in her conduct. She says of herself, "That she was mistrustful, ambitious, passionate, haughty, impatient, contemptuous, satirical, incredulous, undevout, of an ardent and violent temper, and extremely amorous," a disposition, however, to sensuality, her pride and her virtue always conquered. In general, her failings were those of her sex, and her virtues the virtues of manhood.

RECENT EVENTS AT MAURITIUS.

THIS pamphlet is the production of John Jeremie, Esq., a native of Guernsey, who in early life was an advocate at the bar of that island, which he quitted to accept the office of chief judge of St. Lucia. In 1832, he was appointed procureur and advocate general of Mauritius, and is now one of the judges of Ceylon. To Guernsye men, the bare mention

of his name would be sufficient, but as this Magazine is gradually extending its circulation in England, this brief remark becomes in some degree necessary.

Though we are induced more particularly to notice this publication, on account of the local interest that must attach to any publication emanating from the pen of Mr. Jeremie, yet we hesitate not to declare, that the contents of this pamphlet, if not of European importance, ought at least to be known to every subject of the British empire. Such an exposure of colonial misrule,—such a display of pusillanimity in the local governors,—such flagrant injustice to a judicial functionary,—such a tame and crouching spirit as the home government has displayed to the malcontents of the Mauritius,—it has seldom been our misfortune to peruse. The first removal of Mr. Jeremie by the governor, Sir John Colville, was an act of the most disgusting imbecility: his second recall by Lord Stanley, was a mean and pitiful homage paid to a lawless band of pirates, freebooters, and slave dealers. Indeed, we hesitate not to state that the honour of the crown, and the dignity of the British nation, were both shamefully compromised on these two occasions, a declaration in which all our readers will concur, after perusing the following remarks. But, in order that the public may more clearly understand the facts of the case, it is necessary that they should be made acquainted with the state of the Mauritius, before the arrival, or even the appointment of, Mr. Jeremie; for it is believed by many, who pin their faith on the sleeves of itinerant slanderers, that the island was tranquil before his landing, and that he personally caused all the subsequent disturbances by his opposition to the slave trade. Now this is a most erroneous view of the question, for it will be shown, first, that the Mauritius was in a state of rebellion before the name of Mr. Jeremie was even heard of by the colonists, and, secondly, that slavery was a mere pretence set up to cover far different objects. We shall commence with a brief outline of the history of this colony since it became a British settlement, and we cannot do better than give it in the words of Mr. Jeremie himself.

“Mauritius, taken by capitulation from the French, in 1810, and ceded, unconditionally, to the British crown, in the year 1814, by the treaty of Paris, is nearly in the centre of the Indian ocean, and from its commanding position, of the highest importance as a strong hold in time of war, and a place of commercial deposit and refit in time of peace; it has also become of some consequence from the extensive cultivation of colonial produce, which has been of late established by English capital. Its population, taken generally, may be said to amount to about one hundred thousand souls, of whom say sixty-three thousand were slaves; the remainder consisting of about one-third white, and two-thirds coloured inhabitants, the great majority of whom still speak the French language, and continue attached from custom to the habits of their former country; though many, especially the native coloured population, are at the present moment, warmly and sincerely desirous of continuing under the dominion of the British crown, convinced that they may at last succeed in obtaining tolerable protection. This colony is partly governed by the modern law of France, partly by that hasty and eccentric species of legislation, termed the “*Législation Intermédiaire*,” introduced by each of the many ephemeral governments which ruled in France from 1789 to 1803, and partly by local regulations.”

Mauritius, from its isolated position, has always cherished false ideas of

independence and importance. A large portion of its present population detest the British, as they are now cut off from sources of gain by which they were formerly enriched. While annexed to France, they plundered our Indian commerce by their privateers, and even reduced the Malay and Lascar seamen to slavery, a violation of international law scarcely credible. The persons, now deprived of these sources of profit, are they who abhor the dominion of England, and "this party," says Mr. Jeremie, "has ever been supported by most of the legal profession—the colonial magistracy and the bar." Since Mauritius was ceded by the treaty of Paris, these malcontents have secretly imported arms and other ammunitions of war, for what purposes we shall see presently. But before they broke out into avowed and open rebellion, this faction worked secretly on the passions of the populace, and issued inflammatory circulars, recommending the formation of a political union. As a specimen, we subjoin the first and last paragraphs of one of these documents :—

"Inhabitants of Mauritius,

"Menaced by our most cruel enemies, we flock in crowds to the principal town of the colony, to inquire the cause of the alarms, the cry of which has echoed through our districts. From all sides the peaceable inhabitants arrive in town, drawn away from their agricultural labours by new anxieties and apprehensions. Every year, alas! we may well say every month, some disastrous news arrives from the metropolis of the empire, from that mother country, which to us alone has shown herself a pitiless step-mother (*mardtre*)."

After a warm encomium on the *local* authorities, it concludes thus :—

"Let us send to England a man devoted to our interests, a representative of our country; and if, after all our efforts to avert the tempest ready to burst upon us—if we are again refused—if again menaced—then, inhabitants of Mauritius, prepare yourselves to prove to the whole world, that under the most modest exterior, and under the appearance of that mildness of character which has been so often abused, you possess noble hearts, *capable of repelling by force injustice and oppression*."

This document was signed by D'Epinay, Dupont, and Guibert, the first being the leader of a self-created representative body, who actually bearded the government. In 1826, Sir Lowry Cole, with a view to render the slave amelioration measures more acceptable, convened a meeting of the principal inhabitants, to advise with him on this single and specific object, and then it ought to have been dissolved; but this was not the case, and D'Epinay continued its existence, and turned it into a political engine. This demagogue was by them dispatched on an embassy to London, and during his absence the "order in council," dated February, 1830, consolidating the slave laws—arrived in the island. This gave rise to a loud and angry expression of feeling at the Mauritius. It was then that the governor, Sir Charles Colville, convened the executive council, consisting of himself, the chief judge, Mr. Blackburn, and the commandant of the garrison—but, incredible as it may seem, they not only winked at an overt act of rebellion, but *promised to testify as hitherto to the loyalty of the colonists*. This occurred in April, 1831. One single fact stated by Mr. Jeremie abundantly proves the imbecility and cowardice of the executive and judicial authorities: it is this: Two thousand four hundred cases of violation of the slave laws remained unpunished.

Taking fresh courage from the timidity of the government the malcontents now converted the colonial committee into a permanent representa-

tive body, and appointed local sections to correspond with the committee of Port Louis. They then determined to refuse the payment of taxes, refusing even the rates levied for cleaning the capital town. In short, the colony was in a state of open rebellion. It was illegal for any public functionary to hold any property, direct or indirect, in slaves, but this was laughed to scorn. In April, 1831, a new legal charter was promulgated, containing, *inter alia*, the following proviso: "That no judge of the court of appeal, nor the judge of the tribunal of first instance, nor the suppléant of the said tribunal, nor the procureur-general, nor the advocate-general thereof, nor the judge of the court of vice-admiralty, nor any surrogate of such judge, shall be the owner of any slave, nor be the proprietor of, or have any share or interest in, any land cultivated by the labour of slaves, either directly or by any person or persons as a trustee or trustees for him; and each of the said several officers is hereby declared incompetent to be, or act as the manager, overseer, agent, or attorney of, for, or upon any plantation or estate within the said island or its dependencies."

And now we come to a fact affirmed by Mr. Jeremie, so monstrous and revolting, that had it been announced under less authority, we could not have given credence to it. We give it in his own words. "This order was promulgated on the 16th August of the same year, and on the 30th of that month the magistrates were appointed under it. Every one of the gentlemen so appointed, except the advocate-general, was, at that time, in utter defiance of this recent law, concerned in slave property or slave cultivation."

Such was the state of affairs, when D'Epinay returned from his mission to London. Though the home government had made many concessions to the colony, yet this demagogue was discontented, having failed to secure the legal recognition of the representative assembly, and also (for he had the matchless impudence to prefer this request) a written pledge that the law should not take its course with regard to slaves imported illicitly. He now established a newspaper called the "*Cerneen*," to promote his own views. Just about this time a rumour reached Mauritius, that the government contemplated the promulgation of another order in council regarding slave amelioration; this was the celebrated order of November, 1831, information of which intention reached the colony in the early days of February, 1832. The colonial committee determined to take time by the fore-lock, and entered into a compact, ratified by oath, of which it is right to set forth the following clauses.

"The inhabitants of Mauritius learn that, not satisfied with all the evils inflicted, whether proceeding from weakness, or ignorance, or from a culpable connivance on the part of ministers, with a fanatical sect which pretends to govern the state, they have now stated their intention to publish another order in council, which, as has been mentioned in the House of Commons, cannot be published in the colonies without becoming the signal of a civil war.

"Mr. John Irving, the agent of the island of Mauritius, in London, has protested with energy against this work of iniquity and spoliation, against this manifesto, which would excite the slaves to revolt. The wise remonstrances of this member of parliament have not been attended to; respectable merchants, connected by interest with the colony of Mauritius, have assembled; they have also drawn up very judicious observations; and with a view of presenting them to Lord Howick, they have applied for an audience, which has been refused.

"The law of nature commands the inhabitants of Mauritius to resist laws which have become too criminal; they are exercising a legitimate defence—there is no right against right; wherefore the *undersigned declare on honour, and on oath*, that in case a new law should be sent to their island to be promulgated, tending to augment the powers, already too odious, of the protector, (that is of the protector of slaves,) to diminish the authority of their masters, or to unsettle property on any pretence, then *they swear that they will absolutely refuse to execute any one of the laws published for the purpose of ameliorating the condition of the slaves.*

"Consequently, they will *furnish no more returns*, of slave registrations—they will *not make the declarations prescribed by the orders in council*, laws, ordinances, and proclamations on the subject—they will *not pay any taxes or duties*, and they will *hereafter consider what remains to be done*, if force should be employed to compel them to promote their own destruction."

Now, this seems strong enough to warrant the vengeance of the law; here is libel, and treason, and incendiarism, with a vengeance; moreover, this manifesto was followed up by drilling and training the natives, to put them in a condition to fight the king's troops; and besides, nocturnal patrols were established by the insular malcontents, without an effort on the part of the local government to repress this assumption of insulting authority. Even the members of the bar were called in, to aid, by their eloquence or their chicanery, this defiance of the laws, and hatred on one side, and contempt on the other, brought the representative of the sovereign of England to the lowest level of degradation. But prolix as this introductory statement of ours may appear, we still must give some further extracts, not only to vindicate the conduct and character of our spirited and talented countryman, John Jeremie, but to justify ourselves for the severe censure we have, in the commencement of this article, cast on Sir Charles Colville, and Lord Stanley.

The malcontents printed a pamphlet, placing a copy in each of the guard-houses. We give some extracts. The pamphlet is entitled "The Delirious Cries of a Colonist." Listen, people of Guernsey, who feel for your injured compatriot: attend, people of Guernsey, who are sensible to justice. "This law of spoliation, of fire, of blood, of poison—this infamous production of the most cowardly and infernal fanaticism! The hangman of the dragonades, the crusaders understood religion, as the negrophile sect understand humanity: but at least they cut their enemies throats while the latter were armed. They often fell upon the dead bodies of their aggressors. In dying they enjoyed their revenge," &c. &c.

Again: "But, what! will no power on earth hear our piercing cries? Will they not raise their voices for us? *These Englishmen are ogres*; but you Frenchmen, you are not wicked, you are only misled; your hearts were ever open to pity; you can sympathise with great misfortunes. You wish to ameliorate the condition of our slaves; you seek their emancipation; as soon as liberty can become for them a blessing, we wish it as you do. (The lying hypocrites!) Will you not remember that the unfortunate isle of France is peopled with Frenchmen? Shall we implore in vain, with joined hands, the sacred law of nations? Yes, it is in vain! an infernal policy replies—non-intervention."

The pamphlet thus concludes: "Colonists, my friends, my countrymen, hear my advice: it is inspired by despair. In this abominable subversion of right; crime!—what do I say? against such an aggression, in such a

case, crime becomes heroism, a sublime virtue : *assassination, fire, poison*, every means of conquering are good ; the surest are the best ; destroy those soldiers, blind instruments of your massacre, those degraded samples of humanity, divested of will and thought, who have been trained into obedient tigers—send in all directions, imploring on bended knees the protection of a flag, and if you should not obtain it, well then, *hoist the black flag !* Let, then, the wish of philanthropism be accomplished ! We will have no more slaves ; embrace your Africans on the putrifying bodies of your enemies ; no more sugar, coffee, or commerce ; cover your island with provisions alone ; declare a war of extermination against the commerce of India ; you will have fifty thousand armed men ; teach, if it be requisite, your wives to inflict the death-blow on their own offspring. I defy all the forces of England to take you : you will conquer the English in their trade, and enrich yourselves with their spoils."

We have been thus copious and minute in exhibiting the real state of the Mauritius before the arrival, or even the official appointment of John Jeremie, because the ignorant, spiteful vulgar, who pick up vague rumour on any filthy dunghill whereon they may chance to recline with some vapid retailer of the small haberdashery of gossip, have, with an impudence and ignorance scarcely paralleled, industriously reported that he, John Jeremie, ORIGINATED all the disturbances in the colony. But the preceding statement must convince every man of common sense and common honesty, (and as to the vile pecus, the hircine host obscene, they may unheeded regale on their favorite and constitutionally nutritious garbage,)—we say, that every man of common sense and common honesty must admit that the Mauritius was convulsed with treason, insubordination, and incendiarianism, long before John Jeremie was even heard of, and moreover, that he was appointed to an important judicial office when, at the very commencement of his duty, an immense arrear of enormously flagitious crime was ripe and ready for his judgment.

We have brought our readers to the month of June or July, 1832 : and let them now understand that John Jeremie has arrived at the Mauritius, clothed with the office of procureur and advocate general. But it may be as well to offer a remark or two, by way of perspicuity, on the duties and prerogatives of this situation ; and here we shall again copy Mr. Jeremie's own words. "The office of procureur and advocate general has been assimilated to that of an English attorney general, and they are so far similar that both fulfil the duties of a public prosecutor ; but here the analogy ends. The procureur general among the French, as the lord advocate in Scotland and the fiscal in other countries, is an executive magistrate, and the head of that important magisterial department ; the decrees of the courts of law, he enforces, and his administrative powers are also extremely extensive ; he is responsible to the governor alone, and has under his direction and controul the police force of the country." In effect, when Mr. Jeremie arrived at Mauritius, owing to the usurpations of the local bar, who never expected to see an Englishman in this office, the procureur and advocate general was the main-spring of the government, executive and political, under the governor. "As to the advocate generalship," continues Mr. Jeremie, "this was a nondescript sort of appointment, which, setting aside the admiralty business, had been recently carved out of the French office, with a view of having an English independent law officer, principally to conduct slave prosecutions, and occasionally to advise government : a purpose evaded

with the usual dexterity by a local enactment, which directed that all slave prosecutions should be referred to the "*ministère public*," i.e. to the department presided over by the procureur general, and then by inserting a clause in the advocate general's commission, expressly stating that he was not to be a member of the "*ministère public*." By this means the whole aim in creating this new office (which had not lasted six months) was defeated.

The malcontents of the Mauritius knew enough of Mr. Jeremie's character, to be assured that he would not suit their purposes, for an upright judge was to them an object of horror. They, therefore, petitioned the governor to prevent his landing, which was refused: they then convened the colonial assembly, and it was proposed to attack the king's troops, a motion negatived by a small majority. However, this meeting adopted the following resolutions: First, That no business should be carried on—no taxes paid. Secondly, That the courts of law should be closed. Thirdly, That no attention should be paid to orders from the police. All these resolutions were sent to the guard-houses. At length, Mr. Jeremie landed under the protection of a small naval squadron, the king's troops, and the insular police, and he says "that every third person met in the streets was armed," the town resembling a citadel. The insurgents next attempted to massacre the 87th regiment, which had to pass through a wood, in which openings had been cut to allow the persons concealed to take a clear aim. On the day that Mr. Jeremie was installed into his office, he was assaulted on the very threshold of the court-house, collared, and struck. All these outrages were left unpunished, and as Mr. Jeremie very truly remarks, "the occurrences of this day proved even to the most cautious and timid, that the courts of justice were the agents, not of the king, but of the insurgent government."

The malcontents, thus encouraged by the imbecility of Sir Charles Colville, held another meeting, in which they insisted on the most extravagant concessions, too long for us to enter upon, but the *sine qua non* was the removal of Mr. Jeremie, which was to be "the pledge of peace, and of their submission to law." These treasonable proposals were carried by acclamation, and copies of them forwarded to the governor. When these addresses had all reached him, Sir Charles Colville showed them to the procureur and advocate general, pointed out the number of signatures, and requested to know whether Mr. Jeremie would leave the island. "He answered distinctly, never: to offer personal resistance to the governor, he observed would be folly—madness; such an order, therefore, as would leave him no alternative, and would amount to moral force, he would obey, and nothing short of it." Sir Charles next asked Mr. Jeremie, if he would go to London, as the deputy of the island, to treat in their behalf for the redemption of the slaves. Mr. Jeremie said, that he fully approved of the idea; but that, as he came out as procureur general, he should consider the acceptance of any other post, as a desertion of his duty. Shortly after this interview, another meeting was held, when Mr. D'Epinay demanded an order for the removal of Mr. Jeremie, which was seconded by Colonel Draper, an official member of council, head of the customs, and formerly of the registrar of slaves department. Thus was Mr. Jeremie shamefully abandoned by the government. Sir Charles Colville then issued the order for his removal.

An immense mob collected in the streets, and as his carriage drove to the barracks, from whence he was to embark, he was pelted with stones,

and his coachman so severely wounded that he was confined several days in the hospital. So imminent was the danger of life, that Mr. Jeremie fired his pistols, when the cowardly ruffians took to their heels. Before he left the island, he collected evidence which proved that the attack on him was premeditated; that it was intended to prove fatal; and that the lives of his party were saved by the means that he took to repel it. Nor is this all. These miscreants had actually fitted out an armed vessel to capture the merchantman which conveyed him to England, and had not the captain skilfully changed his course, Mr. Jeremie would have been captured off the isle of Bourbon, where his ship was chased.

After Mr. Jeremie had reached London, and reported himself to Lord Goderich, then colonial secretary, he was sent back to Mauritius, and Sir Charles Colville was replaced by Sir William Nicolay. Mr. Jeremie then resolved to bring the violaters of the law to justice, but without success. It would carry us too far to enter into details: suffice it, then, to say, that the judges were all interested in slave property, and protected each other, and all similar culprits, and that the right of challenge was not allowed. Our unfortunate countryman was now recalled by Lord Stanley, and thus a firm and upright judge was deprived of his office for discharging his duty. On his second embarkation "every British flag in the harbour lowered half-mast high, in token of their sorrow and indignation." Such was the conduct of Lord Stanley towards a public functionary, who within the last three years has traversed fifty thousand miles, encountered the assassin on shore, and the pirate at sea; whose fate it has been for ten years to face, in the service of the crown, every peril to which life is subject, whether from the ocean, the climate, or the hand of man.

Infamous, however, as has been the treatment experienced by Mr. Jeremie, the policy of the British government has been most degrading. Who, reader, do you suppose is the successor of Mr. Jeremie? Why, Prosper D'Epinay, the man who figures so prominently in these transactions, and who is rewarded for his treason by a high judicial appointment! And to make this insult more glaring, the nomination was thus announced by the governor.

"The governor being also desirous to make his own sentiments known to the inhabitants, takes the first opportunity which presents for this purpose, by the very recent nomination of one of the colonists to a situation of the greatest confidence, and his excellency is highly gratified that his choice on the present occasion has fully met the views of his Majesty's government; Mr. D'Epinay having been named, by express command from the king, to the situation of procureur and advocate general." Not satisfied with this disgusting fulsome panegyric, the governor then quotes the very words of the secretary of state, which are equally, if not more, nauseous. "I have now to signify to you his Majesty's pleasure, that you appoint to the office of procureur and advocate general, Mr. Prosper D'Epinay, gentleman, whose talents and acquirements appear to have merited for him to be placed at the head of his profession in that colony: and whose high personal character offers the most satisfactory security that, if he accepts this office, he will fulfil its duties with loyalty and fidelity, and with the determination to use all his exertions to conciliate those political discussions and judicial controversies which have disturbed the colony for the last three years."

Any further comment from us is unnecessary.

THE ROMAN DE ROU.

WACE commences his poem with some general remarks on the necessity of composing histories, in which the actions of great men, and memorable events, may be recorded. After this introduction, he proceeds to investigate the origin of the Normans, and explain the etymology of their name. He says they came from the North, in a country under the celestial chariot, by which he means the constellation Ursa Major, or the Great Bear. This cluster of stars is called to this day, among the peasants of Normandy, "the Chariot," "the Chariot of David," "the Chariot of Saint Martin:" and in England the country people, especially in the Northern districts, call it "King Charles's Wain," and "the Waggoner." Our author derives Normandy from Northmen, the men of the North giving the name of their native home to the newly acquired province of Neustria.

Man en Engleiz et en Noreiz
 Senefie hom in Francheiz :
 Justez ensemble North è man
 Ensemble ditez donc Northman
 Co est hom de North en Romanz†
 De ço vint li non as Normanz.
 Normanz solent estre apelé‡
 E Normendie k'il ont poplé,
 Por ço ke Normanz la poplerent
 Ki eu la terre conversèrent.¶*

Vers. 109 to 118.

After alluding to the predatory habits of the Northmen, and slightly mentioning Bier and Hasting, the two first Norwegian chiefs who invaded France, Wace relates an old tradition which declares, that, after the destruction of Troy, some of the survivors arrived in Denmark, and as the leader of this party was a lineal descendant of Danaus, he called the people Danes, and the country Danemark. These nations worshipped Tur, or Thor, and sacrificed human victims on his altars. Many towns in Normandy derive their name from this heathen idol, such as Tour, Tourville, Tourlaville, Tournebut, &c.

Our author next describes the method adopted among the northern states to free themselves from a redundancy of population. When a man had a numerous family, he was bound to support them till they reached to manhood, at which time the sons drew lots for the paternal inheritance, and those who lost their chance were then compelled to emigrate, and seek their fortune in a foreign land. This singular usage, not only recorded by the Norman historians, but also insisted on by the French and English annalists of the middle ages, is not, however, confirmed by any historical document in northern literature. It must, therefore, be received with some reserve. Bier, the son of king Lotroc, at the urgent entreaties of his mother, and with the approbation of his father, set out on an expedition under the command of Hasting, one of the most daring and skilful of the Norwegian adventurers. Some of the old chroniclers affirm that this Hasting, Hastain, Hasteng, or Hastenc, for his name is thus variously spelt, was a native of Champagne; but this requires proof. Indeed, the entire history of Hasting and Bier, or Bioern Coté de Fer, is very obscure, and their real exploits have been mixed up with a great deal of fiction. There exists no record whatever of their achievements in the Scandinavian historians. We shall see pre-

* En langue du Nord.

† En langue Romane.

‡ Ont coutume d'être appelés.

¶ Demeurèrent.

sently that they were entirely strangers to many devastations committed in France and Normandy, which have been attributed to them.

Wace next enlarges on the preparations made for the voyage: he describes the stowing of provisions, and explains the various weapons with which these marauders were armed, such as pikes, spears, swords, and bows and arrows. They set sail with a fair wind, and reach the coast of France, entering the river Somme, and landed in the anciently called territory of Ponthieu, a district in Picardy, of which Abbeville is the capital. Here, according to Wace, they burnt several towns in the old province of Amiens, l'Amienois, as well as the churches of St. Quentin, St. Meart, and St. Martin. He narrates their atrocities in the following nervous lines.

Viles arstrent, homes ocistrent,
Fames porjurent,* avoir pristrent
Mult oissiez enfans plorer
Homes braire, fames crier
Tut voloient destruire è prendre
N'i avet ki les pout desfendre.

Vers. 280.

Wace borrowed the facts of this part of his poem from Dudo de St. Quentin and William de Jumieges, who have led him astray from the truth. These authors, indeed, have too long been regarded as veracious chroniclers, and they have imposed on their readers, in imputing to Hasting a large proportion of the calamities which befel the province of Normandy. We shall endeavour to show, in another place, that the ravages attributed to Hasting, were really perpetrated by several other chieftains, and that they belong to different periods. Suffice it, for the moment, to say that the military expeditions which terminated in the destruction of Rouen and the principal monastic establishments bordering on the Seine, occurred in times antecedent to those in which Hasting flourished, and that they were commanded by other leaders.

After the death of Charlemagne, the empire was divided among his sons, and became a prey to civil war. The disunited and enfeebled state of the country tempted the Northmen to seek plunder from the inhabitants, and, quitting Picardy, they entered into Normandy. They pillaged the abbey of Fecamp, and that of Jumieges: they then advanced against Rouen, and, after having sacked that capital, they marched on to Paris. They next invaded the Cotentin, pillaged the abbey of Ham and St. Marcouff, and two other towns called, by Wace, Revenominic and Abillant, at present unknown. Saireport next felt their vengeance, which M. De Gerville thinks was Barfleur. They then set fire to the abbey of Visaire, now called Licornet, in the parish of Vicel, near Barfleur. Many other towns in the Cotentin suffered similar horrors, some of which do not now exist, or if they do, they have names very different from those by which they are designated in the *Roman de Rou*, such as Meliant, Latolette, Saint Andrew, and Paillart. These particulars are interesting to the antiquarian, for, as Wace was a native of Jersey and a resident at Bayeux, doubtlessly he was well acquainted with the topography of the country, and he could have had no possible motive to enumerate the pillage of towns, unless they had really been in existence.

Hasting and his followers next invaded Brittany, and after committing the most dreadful ravages, they embarked on board their fleet, intending to land in Italy and lay siege to Rome. They reached the coast of

* Violent.

Tuscany, and encamped before Luna, a town which they mistook for Rome. This town was built on the ruins of the ancient Luna, which Lucan relates was deserted in his time. Wace describes it as beautiful, and says that it was called after the moon, on account of its splendour.

Bele vile, bele cuntrée,
Fu la cité Lune apelée,
Et à lune fu comparée,
Si com la lune de clarté
De resplendor et de belté,
Les esteilles sormonte à vaint
Ke nule de rienz ne l'afaint ; *
Si fu plu noble è plus bele,
La cité ke l'en lune apele.

Vers. 490.

One of the choristers attached to the cathedral had prophesied the arrival of a horde of freebooters, and much faith seems to have been reposed in his prediction, for when Hasting arrived before the town, he found it in a complete posture of defence, the earl, called by Wace "Li Quens," having collected his troops, as well as the bishop. The Norman leader now resolves to employ a stratagem, seeing that he cannot carry the place by assault. He sends a messenger to the bishop, declaring that he has no hostile intention ; that he has been driven from his own country ; that his fleet were forced on the coast by stormy weather ; and that if his health were not in a very precarious state, he would immediately put to sea. He asks leave to buy provisions : expresses his contrition for the ravages he had committed in France : and finally begs to be baptized, and to be received into the Christian church, for the salvation of his soul.

The people of Luna believe his protestations. His followers obtain all necessary supplies. Hasting is baptized, and then he pretends to be dead. He is put into a coffin, and carried to the gates of the town. The deception produces such an effect on the inhabitants, that the gates are freely opened to the pretended mourners : all the clergy are in attendance to solemnize the obsequies of this new convert. The procession enters the cathedral : the bishop begins to recite the funeral service, when Hasting springs out of the coffin, draws his sword, and cleaves the poor bishop to the brisket. His followers imitate his example, and a fearful massacre ensues. The Northmen then find out their mistake, and, being exasperated with disappointment at not having captured Rome, they commit every possible excess, and lay the town of Luna in ruins. After this expedition, Hasting returns into France, and the king of that country, to make peace with this formidable freebooter, gives him up full and free possession of the province of Chartres. Here terminates the introduction to the *Roman de Rou*, in octo-syllabic verse : but before we commence the narrative of the exploits of Rou, or Rollo, we wish to make one short observation.

This Italian expedition of Hasting has usually been considered as fabulous, although it is narrated by all the old Norman chroniclers. We have always thought differently, and we are happy to see our opinion supported by the learned author of the "*Histoire des Expéditions Maritimes des Normands*, vide tome premier, ch. 5. p. 164-168." The very general tradition which prevails, is a strong presumption in favour of the fact itself, however it may be coloured or exaggerated in some of its details. The statement of Robert Wace, though much more concise than

* Que rien n'en approche.

that of Benoit de Sainte Maure, is the best and the most circumstantial that we possess of the capture of Luna. After the year 859, it is well authenticated that the Northmen had passed the Straits of Gibraltar, and had established permanent settlements. According to the most veracious of the old annalists, these were the Normans who, in the following year, pillaged Pisa and the neighbouring towns, among which we may fairly include Luna. Moreover, the old chroniclers mention other Normans, who, having descended the Seine in 866, established themselves in a district, or canton, of Italy: this last account seems to best correspond with the expedition of Hasting.

Wace opens his account of Rou, or Rollo, with drawing a parallel between him and Rollo, in which he exhibits in vivid language the many superior virtues of the future conqueror of Normandy. He describes Hasting as cruel, lawless, and rapacious, neither fearing God, nor respecting man: showing no mercy either to free men, or to slaves; a mocker of holy ceremonies, and a scourge to the clergy. Our Jersey poet paints him almost in the very colours that Horace used in his portraiture of Achilles:

Impiger, iracundus, inexorabilis, acer,
Jura neget sibi nata, hic non nihil arroget armis.

Our poet next proceeds to sketch out the manners and customs of the ancient Scandinavians, and explains the plan they adopted to disembarass themselves of their surplus population. He says that polygamy was allowed among them, and that the number of children born was truly astonishing. The land was insufficient for their sustenance, and the fathers, at certain intervals, were wont to order their elder sons to quit the country of their birth, and seek a new home in some foreign land. On one of these occasions, the elder sons refused to emigrate, and a formidable league was entered into among them, Rollo and his brother Garin* being appointed chiefs of the revoltors. Though the father of these leaders was not king of the country, yet he was the most powerful baron, and neither he, nor any of his ancestors, had ever paid homage to the Scandinavian monarchs. This family continually attacked their neighbours, and seized their lands.† At the period of the order for emigration, just mentioned, the father of Rollo and Garin died, and Harold Harfagre, the king of Denmark, resolved on breaking down the authority of the two sons, and crippling the power of this formidable family. Wace indulges his moralizing turn of thought on this occasion, and, with much pathos and sentiment, alludes to the final debt which all must pay to nature.

Voir est ke nus ne naiz, k'i n'esteuse morir,
E ki di terre vient, à terre esteut venir:
Nus ne se pot de mort trestorner, ne fuir,
Ne por avoir cunquerre, ne por avoir guerpir. 841-844.‡

* This is the same name as Guerin and Varin.

† The whole of this narrative is in conformity with the statements of Dudon and William of Jumieges, excepting that these historians call the brother of Rollo, Gurim. The particulars of the origin and youth of Rollo, as well as the cause of his emigration are, however, fabulous and chimerical, and have been fully disproved by Mr. Depping, (vide *Histoire des Expéditions Maritimes des Normands*, tome 2, c. 8,) who has collected his refutation from the researches of the northern historians.

‡ This passage may be thus rendered into modern French. *Vrai est que tout ce qui naît doit mourir, et que tout ce qui est venu de terre retourne en terre. Personne ne peut éviter la mort, ni en gagnant des biens, ni en les abandonnant.*

Being apprized of the intentions of the king, Rollo and his brother make instant preparations for defence, and form a league with the eldest sons, who were still in a state of revolt. A battle ensues, in which the royal forces are defeated, on which Harold Harfagre offers the brothers terms of peace, which are accepted. But the king was acting with duplicity, while Rollo treated with him in honour and good faith, and soon seizing an opportunity, Harold suddenly attacked them, decoyed them into an ambuscade, and put them to rout. In this action, Garin was slain, and Rollo had great difficulty in effecting his escape. He, however, succeeded in reaching a sea-port, and crossed over to the Hebrides. But the king was so alarmed, lest he might return, that he razed all his castles and strong holds to the ground.

Garin i fu ociz è Rou fu escapez,
A un port desor mer s'en est fuiant tornez.
Li Reis dobla k'encor vousist Rou retorner,
Sis chastels fist abattre, è sis murs graver*
Sis mezones è sis viles è sis bois alumer;
N'i lessa nule rienz ke il pout grater.†

Vers. 938.

Rollo undertook this expedition with only six small vessels, and though Wace says that he landed in Scotland, (Escoce,) for so he translates the expression, *Scanza Insula*, used by Dudon and William of Jumieges, yet we are not to conclude that, with so small a force, he ventured to attack the inhabitants of the main land. We are, therefore, warranted in supposing that he landed on some one of the cluster of islands, called the Hebrides. Here Rollo had a dream, in which he hears a voice advising him to sail for England, where he will learn how he may return to his own country. This dream he relates to a Christian, who professes to interpret visions. The Christian tells Rollo that, as he is a pagan, and the offspring of pagan parents, he cannot hope to be prosperous, before he has embraced the Christian religion, and this faith he is destined to receive from the English, then called Angles, and, by a play upon words, Angels. This *jeu de mot* is not only preserved by Dudon, and William of Jumieges, from whom Wace has copied it, but the phrase was current in much earlier days, for if we are to believe Venerable Bede, it may be traced up to Pope Gregory the Great, who, on seeing some English children, whose beauty was remarkable, exclaimed, "They would not be English, but Angels, if they were Christians; *Non Angli, sed Angeli forent, si essent christiani*."†

Rollo now sets sail for England,—lands on the coast,—is attacked by the natives,—but repulses them with great slaughter, and makes many prisoners. We do not think that there is much historic truth in this part of the poem. Wace does not say that the Norwegian prince had en-

* Graver, for the modern renverser.

† Grater, for the modern recueillir. In Normandy, to this day, if a person is utterly destitute of all resources, the current expression applied to him is: *Il n'y a plus rien à grater*." Perhaps the vulgar English verb "to grab," is derived from this root.

‡ The passage in Bede runs thus: *Rursus ergo interrogavit (beatus Gregorius Papa) quod esset vocabulum gentis illius. Responsum est quod angli vocarentur. Bene, inquit; nam et angelicam habent faciem et tales angelorum in cælis deest esse coheredes. (Hist: Eccl: Gentis Angl: L. 2, c. 1.)* Or thus in English. Then holy Pope Gregory again asked what was the name of their country. They answered that they were called Angles. It is well, replied he; for they have an angelic physiognomy, and such are worthy of being the co-heirs of the angels who are in heaven.

creased his forces, and if his fleet of six small vessels was too small to encourage him to make a descent on the main land of Scotland, it is not credible that he would have ventured on such a step against England, governed as it then was by Alfred the Great. Wace, however, gives Rollo the honour of a complete victory, saying that he captured many of the barons and chieftains, and imprisoned them on board his fleet.

Descunfiz furent primes, poiz ont noiant eu
Li meillor de lor homs out Daneiz retenu,
Multi ont pris Baronz à Vavasors asez ;
Daneiz les ont liez, et en lor nés getez.
Li homes du paiz ont mult espoantez,
Mult maldient li nés ki les ont aportez.

Vers. 971 et seq.

After this exploit, Rollo remains, during some time, uncertain what course he ought to pursue. At first he determined to return to Denmark, and avenge himself on the king: next he proposes to try his fortune in France: afterwards, he resolves to form a permanent settlement in England. While he is in this state of doubt and vacillation, he has another dream. He fancies himself on a mountain in France, so lofty, that he can clearly see the whole of the country from its summit: on the top of this mountain was a clear stream of the purest water. Rollo imagines himself covered with leprosy: he bathes in this stream, and is cleansed. This mountain is also full of birds, who dip their wings in the water. All obey Rollo, when he raises his hand and calls them his prisoners. The wings of all these birds were of a red colour. In the morning, Rollo relates his dream to his companions, and they send, as before, for a Christian interpreter, who gives the following explanation: the mountain in France, is a symbol of holy church: the fountain, or stream of water, denotes baptism: the leprosy, is original sin. "No king or emperor," said the interpreter, "however extended his dominions, or however brave or numerous his troops, can find any medicine to cure this sort of leprosy; but you, O Rollo, will be cleansed from the taint by baptism." As to the birds that dipped their wings in the fountain, they were the companions of Rollo, who were also to abandon paganism, and adopt Christianity. The red wings of the birds were emblems of the red shields of the Northmen; and we shall see in another passage that their gonfalon was of the same colour. The interpreter further assures Rollo that many men of various nations, as denoted by the birds, will obey his authority. He is highly pleased with this intelligence,—rewards the Christian interpreter with handsome largesses,—grants him his freedom,—and sets all his companions at liberty.

Rollo now sends an embassy to the king of England, in which he declares himself to entertain the most friendly feelings towards the English: he laments the recent affray, imputing the whole blame to the natives who had causelessly attacked him, and protests that he and his followers only acted in self-defence. He at the same time offers to go personally to the court, and give a full explanation of the quarrel. The messengers of Rollo are graciously received: the apology of the Norwegian is deemed satisfactory: a treaty of peace and amity agreed upon: and the ambassadors take their leave loaded with honours. Wace says that the reigning king of England was Athelstan; but this is an error. Alfred the Great then swayed the sceptre, nor did Athelstan ascend the throne before the year 925. Our poet has been deceived in this point by

his two usual guides, Dudon and William of Jumieges. Indeed, the whole of this narrative deserves but little historical confidence, whether we regard the facts recorded, or the names of many of the parties.

Rollo and his companions now set sail from England, and land in the isle of Walcheren. They are opposed by the "Wacfreiz," the inhabitants of West Friezeland, now called Zeeland. The Northmen are victorious, and plunder and devastate the country to such a fearful extent that a famine ensues. Wace, then, tells us that Athelstan sends to Rollo a handsome present of ten vessels, laden with meat and wheat, and manned by brave soldiers: "De boens cumbatéors, plains de grant hardement." The Wacfreiz, however, rally, and Rembaut, duke of Friezeland, and Regnier, count of Hainault, unite all their forces and attack the invaders: but fortune still favours Rollo, who repulses his opponents, notwithstanding the desperate courage and unflinching resolution of Rembaut, who declares that he will die by the sword or be drowned, rather than accept any terms of arrangement from the Norwegian leader. Rollo, however, still advances from conquest to conquest, and after having overrun all the intermediate country, he arrives at the banks of the Scheldt, called by Wace "l'Eschard." He now captures the Count of Hainault, and refuses to liberate or ransom him, unless twelve of the Norman chiefs, who have been taken prisoners, are released. This creates some demur: but the wife of Regnier, fearing that Rollo might slay her husband, complies with these terms, and sends in addition all the silver she could collect from the churches. Regnier then quits the Norman camp, after being reconciled to Rollo, who is reported by Wace to have acted with chivalrous courtesy towards the Count of Hainault.

Rou fu mult débonaire, de Regnir out pitié,
D'aler quite à sa fame li dona plain congîé.

1138.

These matters, however, do not appear to have been so easily settled, as "Mestre Wace" wishes us to believe. The transmission of the silver from the churches was not a voluntary or spontaneous act of the Countess of Hainault, if we are to believe Dudon and William of Jumieges. "Then the wife of Regnier weeping and lamenting on his account, after convening her principal barons, sent to Rollo, saying that she would restore the twelve Norman prisoners in exchange for her husband. Whereupon, Rollo, after having received the deputation, sent back word to her: Regnier shall not be delivered, but have his head struck from his shoulders, unless you first restore my twelve companions, and moreover give me whatever gold or silver you may have in your dominions." This countess was called Hermengarde.*

Rollo then sails for Normandy: Here then we terminate our first notice of the Roman de Rou, as the break is convenient. In our next, our readers shall hear something more of "Mestre Wace."

(To be continued.)

* The original passage runs thus: Tunc uxor Raineri flens et ejulans super eo convocatis principibus suis misit ad Rollonem, ut pro duodecim comitibus captis redderet sibi suum seniore. Illico Rollo, suscepta legatione, remisit ad eam dicens: non reddetur Rainerius tibi, sed decollabitur, nisi reddideris prius meos comites; mihi insuper dederis quicquid auri est et argenti sui ducamini. The classical scholar will not fail to observe the peculiarity of the term "senior," here used as equivalent to maritus.

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.

(Continued from page 119 of our second volume.)

NOTWITHSTANDING the several truces agreed upon at different times between the English and French, they were so ill observed that the war may be said to have continued till the 8th of May, 1360, when a definitive treaty of peace was signed between the two nations, by which king Edward ceded to the French the province of Normandy, but specially reserved to himself the possession of the Channel Islands.

This treaty was respected up to the year 1369, when king Charles the Fifth, coming to the French throne, declared war against king Edward, the close of whose reign was not so marked by victory as the early period. Charles, receiving intelligence that the Earl of Pembroke had sailed with a fleet of forty ships, to protect the town of Rochelle, which still held out for the English, fitted out a considerable naval armament, of which he gave the command to Yvon de Galles, a pretended Prince of Wales, whose father (it was said) had been put to death by Edward, when he annexed that principality to England. Henry, king of Castile, sent, at the same time, some vessels to join the French, and their united force, meeting the English, gained some advantage over them.

Yvon de Galles, (as it is said,) missing the French fleet, made a descent on Guernsey, popularly called from tradition, "*La descente des Saragousais*," from which it is probable that he had not missed them, but attacked the island both with the French and Spanish divisions. However, there were several warm engagements, and a great number of men killed on both sides, and the ground on which New-Town is built, is still known by the name of "*La Bataille*," being the scene of one of these encounters. Some French authors have alleged, that Yvon de Galles met a body of Englishmen in the island, and not only killed four hundred of them, but also forced the remainder to take shelter in Castle Cornet, after which he plundered the island. Others make no mention of any Englishmen being present, nor of any plundering at all, but admit that four hundred men were killed, as well as confirming the retreat of the remainder into Castle Cornet, adding that Yvon de Galles laid siege to it; but that soon afterwards he raised it, and sailed to Spain. As these several accounts are very different in their details, we shall make a few remarks on the whole transaction.

First: They who assert that Englishmen were in the island at the time of this invasion, intend that they were a distinct corps from the islanders. But this evidently is untrue, for in those days no regular troops were sent over from England, the castle, as well as the bulwarks round the island, being wholly manned and guarded by the local militia. The French authors who insist on the presence of these auxiliary troops, wish merely to raise their own prowess by thus augmenting the strength of the attacked.

Secondly: The retreat of the Guernseymen into Castle Cornet appears a fable; for, if we consider its situation, being in the sea at a distance of half a mile from the land, it was impossible for them to have got over, unless at low water on very great spring tides, when it is certainly practicable to cross on foot during about an hour. We cannot assume that in those days there were boats sufficient for the purpose, so that, in every point of view, this statement appears a fabrication.

The author of the best authority on this subject is M. de Chastelet, who wrote the history of Bertrand du Guesclin, in which he states, that though Yvon de Galles was known to be an excellent naval commander, and had well-appointed troops, yet all the service he did was to defeat four hundred Englishmen in the island of Guernsey, without making the least mention of the circumstances alluded to by other writers. Consequently, as Yvon was contemporary with du Guesclin, who, two years afterwards, invaded Jersey, the memoirs which served to write the history of one, ought to be most credited in what relates to the other, and though this author represents these

four hundred men as Englishmen, it is only in general parlance, as being subjects to the king of England, and not a distinct corps from the native islanders, except Aymon Rose, the governor, which post has been usually held by an English gentleman.

This island being much less populous in those days than at present, the loss of four hundred men must have been very considerable, which shows that a very vigorous opposition must have been made by the islanders, and does honour to their courage. One remarkable fact is, that not one of the French authors states the amount of their loss, but we may fairly presume that it exceeded that of the Guernseymen, for though they claimed the victory, as Frenchmen always do, yet they were obliged to evacuate the island, and we may be quite sure that they did not retire from choice, but from necessity. There is an old Guernsey ballad on this invasion, which we shall insert in our next number, as possessing some local interest, but it is to be observed, that the poet has borrowed most of his facts from his imagination. He is grossly in error as to the "champart," which he says was then first imposed on the lands, in order to ransom the island from Yvon de Galles. The fact is, that the champart was the original equivalent created on the land by the lords of the manors, exclusive of the tithes due to the clergy. This is so well understood, that it is enumerated among the royal prerogatives of the island of Guernsey, in all our extents, both before that invasion and since, as well of Jersey, and even in very ancient times we have an example, recorded in Prynn's Chronicle, printed in 1670, page 473. It is the following. One Alix de la Chapelle was banished out of Guernsey, for stealing thirty-five sheafs of champart, which he endeavoured to palliate by alleging his great necessities, and the impossibility he was under of even giving food to his child; whereupon king Edward the First sent an order to Otho de Grandison, then governor of these islands, to examine into the facts, and send him a certificate of all the particulars.

King Edward the Third, who had a particular esteem for the islanders, and took the greatest pains to establish tranquillity and maintain justice, towards the close of his reign, received a petition from the inhabitants, complaining that some persons had come into the island, who had usurped the revenues of the crown, and, by virtue of some ancient titles, had dispossessed many of the liege subjects of their estates. The king instantly sent an order to the governor to make strict inquiries into the subject, and to punish all such intruders. These old titles appear to have been produced by the descendants of those who had forfeited their lands by disloyalty and disaffection, when the province of Normandy belonged to the English crown, as we have already stated. He also issued a standing order for the jurats of the island to oblige all who had land or revenues in the same, to furnish men for its defence, on any emergency.

We have now arrived at the reign of his successor, Richard the Second, son of Edward the Black Prince.

In the first year of the reign of king Richard the Second, a barbarous confederacy was entered into between the kings of France and Castile, the object of which was utterly to destroy these islands, as well as the Isle of Wight, by reducing all the houses to ashes, cutting all the trees down by the root, and committing every other fiendish act of spoliation that can be imagined. To carry this truly infernal design into effect, the king of Castile bound himself to furnish twenty galleys, each of them to have on board ten men at arms, thirty cross bowmen, and one hundred and eighty mariners, exclusive of officers, to be maintained at the joint expense of these two kings, who were to share the plunder in equal proportions.

Notwithstanding their diabolical intentions, it does not appear that Guernsey was molested by this expedition, unless we follow Mr. Falle, in his citation from Foneterailles' Chronicles, where he asserts that the kings of France and Castile committed hostilities against Guernsey, the year before king Edward the Third died, remarking that these marauders were merely pirates and robbers, seeking after plunder. But the treaty of exter-

mination was not concluded before the commencement of the reign of Richard the Second; Mr. Falle must, in that case, have fixed the date inaccurately.

Our charters were confirmed by this king, not only under the patent itself, but they are further corroborated by many inspeXimusses in the reigns of succeeding monarchs. This monarch died by poison or starvation, and some authors have attributed the disaffection of his subjects, his deposition, and death, to the circumstance of his having made a truce with the French, which however did not subsist long, for, as soon as king Henry the Fourth was on the throne, the war began again as fiercely as before. The French fitted out a vast fleet, and divided it into several squadrons, with which they infested most parts of the English coast, plundering and burning their towns and carrying away many prisoners. In the year 1404, Penhoet, grand admiral of France, plundered the Channel Islands, and carried away very considerable booty, but, as Mr. Falle observes, he made no impression on the castles.

As nothing important, worthy of historical record, which concerns these islands, occurred during the reign of king Henry the Fifth, I shall pass over to that of king Henry the Sixth, who, in the beginning of his reign, was very successful in the war against France, and favourably inclined towards this island, confirming all our charters within a few months after his accession to the throne. Our merchants being, some time afterwards, very much obstructed in their trade by the officers of the customs in England, in violation of all our privileges, a complaint was forwarded to his Majesty, on which, in the year 1443, he sent express and peremptory orders to the collectors and comptrollers of the ports of Plymouth, Poole, and Southampton, and of all the creeks or rivers appurtenant to the same, forbidding them to exact from our inhabitants any other toll or custom than was paid by those of other free ports, and in conformity with their ancient liberties and franchises. The reasons assigned by the king are sufficiently singular to warrant us in giving a translation of the paragraph, which follows:

“We have been informed by the humble representation of our beloved the inhabitants of the island of Guernsey, which island is one of the free ports of this our realm, that whereas all the inhabitants of our said free port are bound to serve us, as well on the day of our coronation, as also to accompany us and conduct us whenever it is expedient for us to cross the sea, and go into foreign parts with all the power and forces they can raise, and also to attend us at such times as may be required for the space of six weeks at their own expense, in consideration of which, our noble progenitors (whom God absolve) anciently granted and confirmed to the inhabitants of the said island,” &c. &c.

During the reign of Elizabeth, this charter was entered on the records of Dover Castle. It is evident from the obligatory duties described, which compelled the inhabitants to carry the king over the sea, and assist at his coronation, that these were all the services required of them out of the island, which exactly accords with the spirit of the Earl of Anjou's grant, by which we are exempted from serving abroad, unless to follow the Duke of Normandy in attempting to recover the English crown. It is not improbable that the cause of their being obliged to attend at the coronation, after the separation from Normandy, was to keep up the king's claim on that duchy, for Lord Coke says that a seisin of the Channel Islands is a good seisin in law of the whole province, so that, on this solemn occasion, the Guernseymen were the sovereign special body guard, in reference to his title of Duke of Normandy.

Whilst this unfortunate king was embroiled in an intestine war with prince Edward for the crown, the French, by the treachery of queen Margaret, wife of Henry, made themselves masters of Mont Orgueil castle, at Jersey, and subjected half of that island, which remained in their power for the space of six years, until the quiet possession of the throne by king Edward the Fourth. As this event is fully narrated in the general histories

of Jersey, which are within the reach of all, we shall confine ourselves to some few observations on the ultimate relief of Jersey. Mr. Falle relates, that when Sir Richard Arlison was come to Guernsey with some English ships, Philip De Carteret seft him word that he had the greatest possible difficulty in preventing the whole island of Jersey being overrun by the French; whereupon, continues Mr. Falle, the admiral, leaving his ships in Guernsey roads, hastened privately to Philip De Carteret, and had an interview with him at his manor at St. Ouen, and there they had a long consultation as to the best mode of recovering Mont Orgueil castle.

It seems strange to us that the admiral should have left his squadron in Guernsey roads, and ventured without forces to land on an island, the greater part of which was in possession of an enemy, to say nothing of the danger of his being captured on the passage. However, shortly after this real or pretended interview, the British squadron proceeded to Jersey, and blocked up the French by sea, while the natives invested them by land. The French, being thus surrounded on all sides, were desirous of obtaining succour from the main land, but the difficulty was how to communicate with Normandy. According to Mr. Falle, they adopted the following scheme, which is sufficiently curious to merit some remarks.

Though the besieged wanted but one boat to convey intelligence of their position to their countrymen, they caused two to be built, one openly on the ramparts in view of the besiegers, another, near the first, but concealed from sight. The workmen were ordered so to time their blows that, from the hostile camp, no sound might be heard, but what might be supposed to come from the boat on the rampart. By this device, that which lay out of sight was finished, while the workmen were still busy about the other. The Jerseymen, not ignorant what the boat was intended for, but having no suspicion of any other than the one in view, the scheme might have succeeded, had not an islander, whom the French had constrained to work for them against their will, shot an arrow, with a letter tied to it, into the camp of the besiegers, by which means the stratagem was disclosed. The letter stated that, on the following night, the finished boat would be lowered down the walls into the sea, and this being communicated to the admiral of the fleet, a sharp look out was kept, and the boat intercepted.

How far this account of Mr. Falle's may have gained credit, we know not; but it appears to us a pure fable. At the time this event is said to have taken place, the French were in possession of six parishes in Jersey, so that they had plenty of places in which to construct a boat, thus rendering all the caution and craft, above described, utterly useless. We should not have enlarged so much on this very idle story, had not Mr. Falle appeared to put it forth with a view of ascribing the deliverance of Mount Orgueil castle to the Jerseymen alone; for he has not the candour or generosity to mention the Guernseymen, or render them the justice they deserved, although they had a large share in the honour of its recapture, as we shall prove by authentic documents.

King Edward, in the first year of his reign, which must have been shortly after this event, not only confirmed the patent of king Richard the Second in favour of the inhabitants of Guernsey, but greatly enlarged its provisions, *in consideration* of the great dangers which they had encountered, and the heavy losses they had sustained at the reduction of Mont Orgueil castle, which charter has since been confirmed by those of queen Elizabeth and king Charles the Second.

The greatest and most beneficial concession made to the Channel Islands was granted under this auspicious reign, we mean, the privilege of neutrality, which was enjoyed for a long time afterwards, even during the most inveterate wars. For a full account of this privilege, and the time and cause of its loss, the reader is referred to the sixth, or June, number of this Magazine. We may here, however, add some more remarks on the same subject.

King Edward, when in profound peace with all the powers of Europe, most probably took into his just consideration the melancholy and unhappy

fate to which these islands had been exposed for many preceding centuries, from the horrors of war caused chiefly by their proximity to the French coast. To prevent the recurrence of these calamities, and to ensure peace and tranquillity for the future, this privilege of neutrality was graciously conceded.

The first instance of this convention that we shall produce, is a safe conduct from Louis, the bastard of Bourbon, then admiral of France, in the name of the king his master, dated the 25th of February, 1472, "forbidding all his subjects, and those of his allies, to molest, in any manner whatsoever, the inhabitants of Guernsey, either in their persons or their property, or the inhabitants of those islets or rocks depending upon, and adjacent to, Guernsey, such as Serk, Herm, and others, which it is practicable to reach at low water, excluding all others, except the parish of the Vale, Lihou, and Castle Cornet, and this order to be in force till the 15th of April following, when a general safe conduct will be delivered to them."

As all other places not named in this preliminary order were excluded from the privilege of neutrality, it is clear that neither Jersey nor Alderney participated in its benefit, which justifies the statement of the learned Camden, who has been erroneously blamed by Mr. Falle for confining this first safe conduct to Guernsey and its immediate dependencies. Whether Jersey and Alderney were afterwards included in the general deed which the bastard of Bourbon promised to execute after the 15th April, we are not able, from the researches we have made, positively to determine, that document not having come under our examination; but certain it is that *all* the Channel Islands are mentioned in several *inspeximuses* of a bull issued by Pope Sixtus the Fourth, which, in order to give more weight to this treaty, was obtained from his Holiness in the tenth year of his popedom, in which he anathematizes and excommunicates all persons whatsoever who shall molest, grieve, or disturb the peace of the inhabitants of these islands, one of which we have seen countersigned under the great seal of England. Some writers have imagined that this papal bull was the origin of our privilege of neutrality, but we have shewn this to be a mistake, as it was not promulgated till eight years after the safe conduct granted by the bastard of Bourbon, or in 1480.

Notwithstanding this sanction of the pope, and the severe punishments denounced against all who violated the treaty, the inhabitants of these islands were not entirely free from the insults of some of the French. In the year 1482, Charles, king of France, sent an order to his marshal, admiral, vice-admiral, &c., commanding them to release a Guernsey bark and twenty-five to thirty traders, who were on board of it, together with their effects, all of which had been seized and detained at the port of Lantiguier, forbidding, at the same time, all his subjects, of whatever rank or condition, to hurt or prejudice the inhabitants of these islands, either in their persons or commodities, in any manner whatsoever, under the pains and penalties in such case made and provided.

In consequence of this illegal seizure and detention, and probably this was not a solitary instance, Francis, duke of Bretagne, at the supplication of the inhabitants of the Channel Islands, issued an order in 1484, for the publication of the pope's bull in his province, reinforcing it with his own command; and in the year 1486, the French king, named above, did the same throughout his dominions. We could give several instances of ships, captured since that period, being released by virtue of this treaty, but as our chief object has been to state the general fact, we do not think any minute enumeration of these vessels would interest the reader.

The reigns of king Edward the Fifth and Richard the Third furnish us with nothing material concerning the islands. Neither have we much to say of the times of kings Henry the Seventh and Eighth, except to notice an *inspeximus* which each of them gave of the pope's bull above mentioned, as well as some others containing several charters granted to our inhabitants by their royal predecessors, and which king Henry the Eighth had further confirmed by parliament.

Whether the abbey lands in the islands were seized under this reign, or by king Edward the Sixth, we cannot positively ascertain; but the French clergy, who possessed very considerable revenues in them, were so exasperated at it, that they thought of nothing less than invading the islands: the treaty of neutrality was laid aside, in spite of the pope's bull, no doubt under the pretext of a holy war, the ecclesiastics being well assured of receiving absolution.

The small island of Serk, which had been mostly occupied by friars, remained, after their flight to France, with few or no inhabitants, which the enemy being apprized of, they resolved to commence their operations by getting possession of that island, as a stepping stone to Guernsey, from which it is distant only three leagues. Accordingly, they sent thither a squadron of ships with a body of two thousand troops, and, meeting with no opposition, they soon made themselves masters of Serk, for the people of Guernsey were thrown off their guard, not apprehending that the treaty of neutrality would be thus shamefully violated.

The French, having got possession of Serk, left only a sufficient number of men to garrison that island, and sailed in the night over to Guernsey, where they found themselves disappointed. Captain Winter's squadron being stationed round the island, some of his ships happened to be riding in Guernsey roadstead, and they began firing at the Frenchmen: this was almost immediately followed by the artillery at Castle Cornet. The roaring of the cannon roused the townspeople, and the news of the invasion was soon spread throughout the country. The whole population were quickly under arms, and the division of the enemy, which had landed under cover of the night, were soon repulsed and driven on board their ships. This success, however, did not deter them from trying their fortune in Jersey, where they met with a similar reception, being obliged to retire with the loss of a thousand men in the two actions.

While Serk remained in the hands of the French, the inhabitants of Guernsey and Jersey were, by their proximity to it, obliged to be constantly on their guard, until the beginning of the reign of queen Mary, when it was recovered. This temporary loss of Serk was probably the reason why Sir Leonard Chamberlayne, governor of Guernsey, caused some additional works to be raised on Castle Cornet.

Though the singular stratagem, by which that island was retaken, has been inserted in many publications, yet we cannot omit narrating it here. There are some slight variations in the different accounts, but we prefer that of Sir Walter Raleigh, who was governor of Jersey about fifty years after the event happened, for it best accords with popular tradition. He made, however, one important error, which it is necessary to correct. He fixes the loss, instead of the recovery, of the island, under the reign of Mary.

Sir Walter says, that the island of Serk, adjoining to Guernsey, was, in queen Mary's reign, surprised by the French, and could never have been recovered by *strong hands*, having cattle and corn upon the place to feed as many men as were required for its defence, and being so inaccessible, that it might be held against the *Grand Turk*; yet, by the ingenuity of a gentleman from the Netherlands, it was regained. He anchored in the road with one ship, and pretending the death of his merchant, besought permission of the French to bury him in consecrated ground, and in the chapel of the island, offering them a present of such commodities as he had on board. This request was granted on condition of the Flemings not landing armed with any weapon, not so much even as a knife. All this was assented to: whereupon they put a coffin into their boat, not filled with a dead body, but with swords, targets, and arquebuses. The French received them on their landing, and searched every one of them so narrowly that they could not have concealed a penknife. They then drew the coffin up the rocks with some difficulty. Some of the French, meanwhile, took the Fleming's boat, and rowed to their ship to receive the promised commodities, but as soon as they got on board, they were seized and bound. The Flemings on land.

after having carried the coffin into the chapel, shut the door, and taking out their weapons, fell upon the French who ran down to the beach, calling on their companions aboard the vessel to return to their assistance. But when the boat landed, they found it filled with Flemings, and then yielded themselves and the place.

The beginning of queen Mary's reign appeared very promising so far as Guernsey was concerned, for she had not been six months on the throne when, on the representation of the inhabitants concerning the scarcity of provisions and other necessities, she issued her royal patent, dated the 18th December, 1553, allowing them to import a sufficient quantity of different kinds from England, both for the use of the castle and the island, without paying any customs, *petite coutume*, toll, or other duty for the same; and at different times, she revived, or rather confirmed, our privilege of neutrality by an *inspeximus* of a bull from pope Sixtus the Fourth, no doubt with the approbation of the Holy See, which she could the more readily have obtained, in consequence of her professing the doctrines of the church of Rome. The islands, however, felt the horrors of popery during the remainder of her reign, from which they were happily relieved by the accession of Elizabeth.

This celebrated princess soon manifested the particular regard she had for these islands, first, by confirming their ancient privileges, by an *inspeximus* of several charters granted by her royal predecessors, bearing date the 29th of July in the first year of her reign; and in a few months afterwards, she issued an original patent to the same effect, the most ample that had been yet obtained, wherein the privilege of neutrality is distinctly stated to extend so far as the sight of man can reach from any of the islands.

In the year 1563, Sir Francis Chamberlayne, the then governor, was, with some other gentlemen, appointed by a royal commission under the great seal, to examine the state of our harbour and island generally, with full power to make such regulations as they should find necessary for the benefit of the inhabitants. They, observing the great utility of the harbour of St. Peter-Port, provided the works already commenced were completed, authorized the bailiff and jurats to raise such reasonable *petit* custom or toll on stranger's goods unloaded in the harbour, as would be sufficient for the maintenance of our pier, and the repair of our bulwarks, as well as to provide powder and ammunition on any warlike emergency, in order to relieve the inhabitants from the necessity of taxing themselves. As soon as this order was promulgated, the bailiff and jurats put it into execution, and made a tariff for this *petite coutume*, which, for several years, was regularly received, and faithfully applied to its intended use. But the queen, who was more regardful of the security and advantage of the inhabitants than they were themselves, being apprized that the collection of this income was applied to improper uses, and the work consequently suspended, sent, in 1583, a very severe reprimand to the court, commanding them to audit their accounts in the presence of the governor, and to refund all sums misapplied, and expend it in the advancement of the harbour.

Notwithstanding this great neglect of the court, the queen was gracious enough to order that the same *petite coutume* should still be continued, and that other contributions might be levied by the consent of the generality of the richest class of the inhabitants, and a further charge was allowed to be made on strangers, in such prudent and moderate form as not to deter them from trading with the island, until the pier was completed. The commissioners above mentioned, finding some deficiency in Castle Cornet, ordered a new battery to be raised on the north east part of it, together with some other requisite works, the inhabitants contributing their labour, according to custom.

Many controversies arising some time afterwards between the governor and our magistrates, as to their respective authority and jurisdiction, the queen, by an order in council, in 1568, confirmed (among other articles) the court's ancient right of inspection over our fortresses: and she then exhorts

and advises her faithful and loyal subjects in Guernsey, to continue their endeavours and good-will for the transporting and carriage of stone, sand, and other necessaries, at convenient days and times, as heretofore, to strengthen the fortification of castle cornet, and improve the general good security of the isle.

This important work at the castle was not completed until the year 1594, when a day was appointed, the 22nd of August, for its commemoration, when Sir Thomas Leighton, then governor, the bailiff and jurats, the clergy, the constable of the town parish, together with the principal officers and inhabitants of the island were present. The company being assembled, they commenced the ceremony by prayer, and specially implored God's protection for the preservation of the castle; after which the governor christened the new work by the name of the "royal battery," which was followed by a general discharge of cannon. After the whole was concluded, the company sat down to a splendid entertainment, which terminated with harmony and jollification.

Nor did Elizabeth limit her vigilance to Guernsey alone. In order to prevent the small island of Serk being again surprized by the enemy, as it had been before, for want of inhabitants, she, in the year 1564, ceded it to Hellier de Carteret, a gentleman of Jersey, for him and his heirs to hold in fee farm from the crown, on condition that he let it out in forty different tenements, that there might be, on an emergency, at least as many men under arms, to oppose the enemy. This Mr. De Carteret, on some consideration that he received from Mr. Gosselin, of Guernsey, made over to him five of those tenements, but the lordship of that island is now vested in Mr. Le Pelley, but he is not now the sole proprietor of the land, it being divided among several occupants. We are thus brief concerning Serk, because a more detailed account would not accord with the object of these Historical Notices; besides, our intention is, in some future numbers, to devote an entire article to Serk, for which we have collected many materials.

Queen Elizabeth also endowed a grammar school in Guernsey, out of which has grown the magnificent college, which now ornaments the upper part of the town. Private affection might possibly have induced her to exercise so much kindness to this island, as well as public policy, she being closely related to the founder and ancestor of the present Carey family, so numerous and respectable in this island. Every one knows that Elizabeth was the daughter of Henry the Eighth, and Anna Boleyn; now, this unfortunate queen had a sister, named Mary Boleyn, who married a Mr. Carey. He was raised to the honour of knighthood, which was a very different distinction in those days from what it is now, when C. B.'s and K. C. B.'s and Knights Guelph, are as plentiful as blackberries at Michaelmas. After Anna Boleyn was beheaded, Carey lost his title and his perquisites, and became a poor man. But when Elizabeth obtained the throne, she did not forget her cousins, and one of them, Nicholas Carey, was appointed receiver of her Majesty's rents in Guernsey, and he was one of the commissioners appointed to erect the grammar school which she endowed. This fact is worthy of being recorded, as the Careys are the only family in the island who can connect themselves with the blood royal of England; nor can there be any doubt on the point, as the arms of the Careys are quartered with those of Elizabeth in Westminster Abbey.* They are three roses, with a swan for the crest:

* The monument, to which we have alluded, stands on the exact spot where, in earlier times, the altar of John the Baptist was erected. It commemorates the memory of Henry Carey, first cousin of Queen Elizabeth, created baron of Hunsdon, in Hertfordshire, in 1558. He was governor of Berwick on Tweed,—lord chamberlain to queen Elizabeth,—a privy councillor,—and knight of the garter. But not receiving preferment according to his expectations, this neglect preyed on his mind, and he languished, for a long time, on a sick bed. The queen, repenting of her inattention to this eminent gentleman, created him an earl; but the royal bounty came too late: the patent, however, and the robes of office were laid before him. He died on the 23d of July, A. D. 1594, *Ætat* 72.

On the other side of this chapel, in Westminster Abbey, is another monument, sacred to the memory of Lady Katherine Knollys, chief lady of the bedchamber to Queen Elizabeth, and wife of Sir Francis Knollys. She died on the 15th of January, 1566. This Lady Knollys and her brother, afterwards Lord Hunsdon, were the only children of William Carey and Lady Mary Boleyn, his wife,

formerly there were no roses, but only three swans; however, a remote ancestor having slain an Arragonese knight in single combat, in Smithfield, whose shield was emblazoned with three roses, the conqueror, to commemorate his victory, as was the practice of those days, assumed his arms, and retained one of his own swans for a crest. It appears to us, then, very probable that Elizabeth increased her favours to the island, on account of her relatives, the Careys.

The inhabitants, under this glorious reign, would have enjoyed a paradise upon earth, had it not been for the arbitrary conduct of the governors, particularly that of Sir Thomas Leighton. It is evident that he consulted nothing more than his own private interests, and violated the privileges of the island. Not only was he guilty of many exactions on the inhabitants, but he also so grossly imposed on strangers, as to drive them away from the place, of which we shall give one specimen, as an instance of his general behaviour. Several French vessels, belonging to Havre de Grace and St. Brieux, from twenty to one hundred and fifty tons burthen, laden with corn, wine, salt, &c., were (contrary to the queen's charter granted but a few years before) seized by him in our roadstead, and detained for a long time, under pretext that the cargoes were Spanish property; and this infraction of our privilege of neutrality might have been attended with very serious consequences, had not the jurats taken the matter in hand; for though the repeated remonstrances of the court did not induce him to release the ships, he was afterwards compelled to do it by an order in council, dated the 9th of June, 1567. And here we close the reign of Elizabeth.

ON THE RISE AND PROGRESS OF RELIGIOUS ESTABLISHMENTS IN GUERNSEY.

So far as it is possible to trace back the history of this island, it appears certain that the earliest inhabitants were immersed in paganism. Several very large flat stones still exist, raised about two feet above the ground, which are "Druid's altars." On these the priests sacrificed, and burnt their offerings in honour of their imaginary deities. They inclined to the eastward, so that the blood might stream from the altars in that direction, and many cleavers, or instruments with which they slaughtered their victims, have been found buried under ground, generally made of a kind of very fine marble, edged at one end and blunt at the other. Mr. William Le Marchant, (whose manuscripts have been kindly lent to us, by John Guille, Esq., of St. George, our respected lieutenant-bailiff,) states that the learned Dr. Atwel assured him, that he had seen some of these instruments made of gold: and he also remarks that "the vulgar sort of people imagined them to be thunderbolts."

About the year 566, St. Sampson, archbishop of Eboracum, now called York, a native of Wales, was obliged to quit England to escape the ferocity and cruelty of the Saxons, and, accompanied by many who had endured similar persecutions,

one of the daughters and heiresses of Thomas Boleyn, earl of Wiltshire and Ormond, and sister of Anne Boleyn, queen of England, consort of King Henry the Eighth, and mother of good Queen Bess. What is further remarkable is, that the only daughter of Lady Knollys was the mother of the famous earl of Essex. He, it may be observed, was banished from England to Alderney, from whence he came to Guernsey, and occupied the estate now called the *Haye du Puits*.

As a bare historical fact, we have thought it proper to mention these curious particulars; but a higher motive must have compelled us to place them on record; for, as we proceed with our "Historical Notices of the Channel Islands," we must bring out in bold relief the families of Carey, Dobrée, Gosselin, De La Marche, and De Beauvoir; and it highly gratifies the editor of this Magazine to have ascertained from many parliamentary documents in his possession, that the Careys were, during the Commonwealth, the warm and unflinching friends of civil and religious liberty. That our readers, who have not been compelled to wear spectacles as we are, from poring over old deeds, may form some notion of these early feuds, we now, taking time by the forelock, insert the fifth article of impeachment that the Guernsey parliamentarians preferred against an ancestor of the very estimable family of the Gosselins:

"D'autant qu'il est ennemi du gouvernement d'Angleterre, ayant déclaré que, pour lui, il vouloit avoir un roi."

"Inasmuch as he is an enemy of the English government, having declared that, for his part, he desired to see a king on the throne."

fled to Armorica, now called Brittany. King Childeburt, anxious to advance the precious work of Christianity, begun by king Clovis, his father, and finding St. Sampson to be a most pious and learned man, raised him to the dignity of arch-bishop of Dol, and annexed the Channel Islands to that diocese.

Shortly after his installation, St. Sampson came over to Guernsey, and landed at the eastern part of the coast, opposite to the Isle of Hermits, now called Herm, the only harbour made use of in those days; and on the south side of it, he caused a small chapel to be erected for divine service, which, being rebuilt in 1111, and made a parish church of, was dedicated to his memory, and called St. Sampson's church, a name which it still retains, and which is also the appellation of the parish and harbour. In earlier days, he was considered the patron saint of the island, as the first who introduced the Christian religion.

St. Sampson was succeeded in the see of Dol by St. Maglorius, his nephew, and companion in exile, whom we find to have been possessed of that diocese in 568. That worthy prelate not only took Guernsey and Jersey under his spiritual care, but also extended his protection to Serk, in which he founded a monastery. Mr. Falle, in his history of Jersey, asserts that there was to be seen in his time, in the Remembrancer's Office at the Exchequer, an account mentioning a yearly pension, paid by the crown, to the monks of this convent, under the name of Convent of St. Maglorius, and dated in the reign of king Edward the Third. It is certain, moreover, that there is a tenement in that island, which still goes by the name of *La Moinerie*, or House of Monks.

St. Maglorius also built a chapel at the Vale, which has fallen into decay, but the ground on which it stood still retains the name of St. Maglorius, though disguised under the corrupted appellation of St. Mallière.

These two prelates, and several of their successors, enjoyed successively the title and dignity of bishops of Dol, till the year 1199, when pope Innocent the Third took the pallium from the bishops of Dol, which event, however, must have occurred long after the separation of these islands from that diocese.

Robert Cœnalis, a bishop of Avranches, asserts that the Channel Islands were at one period annexed to that see, and it is highly probable that this was the fact; for, if we consider that the diocese of Dol, in consequence of the ravages and depredations of the Danes, was utterly spoliated, and abandoned by the inhabitants, these islands, on the occasion of such disasters, might have been transferred from one diocese to the other, more especially as both were in the same province.

But, after Rollo, and his successors, the dukes of Normandy, became possessed of these islands, it is not to be supposed that they would suffer any part of their territories to remain dependent on a bishop, with whose province they were at war; and we are therefore authorized to infer, from this change of circumstances, that the wars between Normandy and Brittany caused the annexation of these islands to the diocese of Coutances, to the spiritual jurisdiction of which see they remained subject till the reign of queen Elizabeth, who transferred them to the diocese of Winchester, under which they continue to this day.

Mr. William Le Marchant states that he had seen an ancient manuscript, said to be a copy of an inquest of some remarkable events which happened in Guernsey, made by John Fressingfield and John Dutton, two judges itinerant, sent over in the reign of king Edward the Second, to draw up an extent of the revenues of the crown, wherein it is declared that, when duke Richard caused a reform to be made in the convents of Normandy, several of those monks and priests of different orders, being convicted of various breaches of ecclesiastical discipline, were, A.D. 968, exiled to Guernsey, and made their settlement in a place called the Vale, where they founded a monastery under the name of Mount St. Michael, and their penitence for their transgressions was so sincere and profound, that they became patterns of piety and good morals: and this is the reason assigned, why Guernsey was called *Isle Sainte*, or Holy Island. It is also added, that when duke Robert was in Guernsey, in 1082, he confirmed to such of those priests who were then alive, and their successors, what they then occupied, and had taken possession of without due authority.

We find by several extents of the revenues of the crown in this island, and other authentic deeds, that duke William, before the conquest of England, gave one half of the revenues of Guernsey to Sampson d'Anneville, jointly with the abbot of Mount St. Michael, to be divided in equal proportions, the abbot to perform the functions of chaplain to the dukes of Normandy at any time when they should come into the island.

By an abstract from the records preserved in the Tower of London, dated in the

thirty-second year of the reign of Edward the Third, 25th January, 1358, it appears that the abbot's proportion consisted chiefly of property in the four following parishes; to wit, the Vale, the Câtel, St. Saviour's, and St. Peter's-in-the-Wood.

The following is an exact copy from the manuscript of Mr. William Le Marchant.

An inquest was held before Edmund de Chesney, guardian of the islands, at which twelve men, duly sworn, declared on oath that the priory of the Vale is situate in the Vale parish, and that four churches belong specially to the prior, to wit, the church of St. Michael of the Vale; the church of St. Mary of the Castle; the church of St. Saviour's, and the church of St. Peter-in-the-Wood. And it is further stated, that these twelve jurymen were all parishioners of the four parishes in which these churches were situate.

All the rents and emoluments of the said churches belong to the prior, in manner as hereinafter described.

PARISH OF ST. MICHAEL OF THE VALE.

All the tithe, one half of the burial fees, and one quarter of the champart, their united value, one year with another, being estimated, in livres tournois, at.....	Liv.	60	0	0
The corn rent, measure of the island, was valued at 48 quarters, each quarter being worth, one year with another, ten sols tournois.....		24	0	0
Commuted money rent.....		11	0	0
Thirty capons, valued at fifteen deniers each.....		1	17	6
Nineteen hundred eggs, valued at twenty deniers per hundred.....		1	11	8
A windmill, valued at.....		17	10	0
The privilege of hunting rabbits, valued at.....		2	0	0
The produce of fish, valued at.....		3	0	0

Total of the revenues of the church of St. Michael of the Vale... Liv. 120 19 2
 This, in sterling money, equals £24 : 3 : 1.

CÂTEL.

In the parish of St. Mary of the Castle, the said prior takes all the tithe, and one half of the burial fees and champarts assessed on the fourth of the parish, the united value being.....		120	0	0
Corn rent, sixty quarters, valued, one year with another, at.....		34	0	0
Thirty capons, valued at 37 sous 6 deniers.....		1	17	6
Two hundred eggs, valued at 33 sous 4 deniers.....		1	13	4
Two water mills, valued at.....		30	0	0
The produce of fish, valued 40 sous.....		2	0	0

Total revenue of the Câtel church, in sterling £37 : 18 : 2 : or.... Liv. 189 10 10

ST. SAVIOUR'S.

In the parish of St. Saviour's, the said prior receives all the tithe, and one half of the burial fees and champarts on the fourth part of the said parish, the aggregate value of which, one year with another, amounts to.....		80	0	0
Forty-three quarters of corn rent, valued at.....		21	10	0
Twenty-five capons, valued at.....		1	11	3
One thousand two hundred eggs, valued at.....		1	0	0
A water mill, valued at.....		10	0	0
The produce of fish ponds.....		5	0	0

Total revenue of St. Saviour's, in sterling £23 : 16 : 3. or..... Liv. 119 1 3

ST. PETER'S-IN-THE-WOOD.

In the parish of St. Peter's-in-the-Wood, the said prior receives two parts of the tithes and champarts assessed on the tenth part of the inhabitants, which, one year with the other, are valued at.....		50	0	0
Twenty five quarters of corn rent, valued at.....		12	10	0
Twenty-five capons, valued at.....		1	11	3
Seven hundred eggs, valued at.....		0	11	8
Produce of fish ponds, valued at.....		1	10	0

Total revenue of St. Peter's-in-the-Wood, in sterling £13 : 4 : 7. or, Liv. 66 2 11

In case of shipwreck on certain parts of the coast, the prior was entitled to a certain portion of whatever was saved, in the nature of salvage, but the sum is not specified, and seems to have varied according to circumstances. His residence was valued at ten livres tournois, so that the gross total revenue was Liv. 506 14s. 9d. tournois.

This sum, however, was not all clear profit, as the prior was subject to the following burdens, which were deducted from this revenue :

He paid the prior of the island of Lihou, annually.....	15	0	0
Three annual dinners to the bailiff and chief officers of the court.....	6	0	0
Annual pension of the senechal of the prior's court.....	10	0	0
To eleven vavasseurs, six sheriffs, and three bordiers.....	12	0	0
Hospitality and alms to all strangers, three times per week.....	40	0	0
Repairs of mills and sluices.....	25	0	0
Two annual dinners to eighty men of the island.....	12	0	0
	Liv.	120	0

The balance sheet of the prior's revenue, therefore, stood thus :

Gross annual receipts.....	Liv.	506	14	2
Annual charges of expenditure.....		120	0	0
Balance of nett income.....	Liv.	385	14	2

It is observable that this half of the island is described in the ducal grant by a vague and general expression, to wit, *the west part of the island*. From this we may infer that the island was not then divided into parishes, but only into cantons or districts, which most probably took their name from the first families who had occupied them ; but, after the foundation of our churches, it became necessary to make such a partition, for the better establishing of the different livings, that every curate might know the extent of his duty, and where he might lawfully take his dues.

The following are the dates at which the churches were consecrated in Guernsey : St. Sampson's, 22d May, 1111. The Vale, anciently called St. Michael the Archangel, 29th September, 1117. Torteval, or St. Philip, 16th December, 1130.* The modern church at Torteval, was erected in 1818. St. Saviour's, 10th May, 1154. The Forest, anciently called St. Margaret of the Trinity, 3d September, 1168. St. Peter's-in-the-Wood, 3d September, 1167. St. Martin's, 1st February, 1189. The Câtél, anciently called St. Mary of the Castle, 20th August, 1203. St. Andrew's, 4th October, 1284. St. Peter's-Port, 1st August, 1312. The chapel of Lihou, 16th August, 1114.

Prince Henry, duke of Normandy, and of these islands, (afterwards king Henry of England,) made a provision in the abbey and convent of Cherbourg, for the benefit of a certain number of religious persons of the small island of Herm, but in the year 1440, a renunciation was made thereto.

It is also apparent that the island of Alderney had some connection with the abbey of Cherbourg, it being mentioned in our precept of assize, in 1331, that the king has no right to take *wreck* from the abbot of Cherbourg, as if that island was then governed by or under his direction, for the word *wreck* is not here to be taken for sea-weed, but shipwreck, or any thing thrown on the shore by the sea, or as lawyers call it, things jetsam, flotsam, and ligan, a prerogative appertaining to the lord of the manor.

However, by an extent of the revenues of the crown, drawn up in that island about fifty-eight years before the prelate received the champart, he had for his dues three hundred rabbits, and a small due on hogs, called "*pegnage*," for liberty to let them run on the commons, all which was computed to amount to twenty or twenty-five livres tournois, annually, the king reserving to himself the rents, pastures, mill, and fish ponds.

Ever since the separation of these islands from the province of Normandy, the kings of England have always had the right of patronage of our livings, except for the four churches under the direction of the abbot of St. Michael, to wit, the Vale, the Câtél, St. Saviour's, and St. Peter-in-the-Wood,—and even in time of war the king seized all the ecclesiastical revenues of those who were absent, or did not prove loyal subjects, in order that the enemy should not be benefited by any thing from the island.

The canon of Blanche Lande having deserted to the enemy, his tithes and revenues were seized upon, and applied to the defence of the island, except a certain

* The modern church at Torteval was erected in 1818.

proportion thereof, reserved for the dean to read mass, and pray for the souls of the deceased kings, which duty that canon was bound to perform.

Another instance of this nature happened during the reign of king Edward the Third, who, being on account of the war, seized of the temporal rights of the priory of Mount St. Michael in this island, presented Guillaume de Caillard to the curacy of our Lady St. Mary of the Castle; but the bishop rejected him, and inducted Jean Viquet, a Norman, on which the king sent an order to the guardian of these islands to seize on all the income and emoluments of the said curacy, until the bishop should have ratified the royal nomination.

Another similar order had been sent over to Jersey, in the seventh year of the reign of king Edward the First, concerning the revenue of St. Clement's church, in that island, belonging also to the same abbey.

It was a very ancient prerogative claimed by our bishops, that if the king, or the guardian, or governor of the islands, delayed six months in filling up a vacant benefice, the bishop, in that case, had a right of appointing a curate, though king Edward the First payed but little respect to it. In the twenty-sixth year of his reign, having named Robert Lysset to the rectory of St. Peter-Port, the bishop of Coutances refused to give him the induction, on pretext that by the lapse of six months, the right of nomination devolved to him, on which the king sent him a mandate, commanding him to induct his nominee under the penalty of forfeiting all he had in the king's dominions.

There are some instances of our curates having been appointed by the pope, of which we give the following example. His holiness having nominated Peter Le Valleys to the rectory of St. Peter-Port, and put him into possession, one Guillemin ousted him by force, by pleading that he had authority from the patron so to do; but this was afterwards righted by an order from the king to Otho de Grandison, guardian of the islands, to reinstate the pope's nominee.

When Henry the Eighth established the reformed church, he seized on all the tithes here that belonged to religious houses, which were then vested in the crown, and have so continued ever since.

During the short reign of Edward the Sixth, the English Liturgy, translated into French, was used in the churches. Its use was suspended during the reign of Mary, who persecuted some of the protestants to death. Katharine Cawche and her two daughters, were burnt at the stake. This horrible event is thus narrated in Fox's Book of Martyrs: "At the time of execution, three stakes were prepared; the mother being set to the middle one, the eldest daughter on the right hand, the youngest on the left. They were first strangled, but the rope broke before they were dead, and so the poor women fell in the fire. Perotine, who was then great with child, did fall on her side, where happened a rueful sight, not only in the eyes of all who stood there, but also to the ears of all true hearted Christians that shall read this history. For, as the belly of the woman burst asunder by the vehemency of the flame, the infant, being a fair man-child, fell into the fire, and being immediately taken out by one W. House, was laid upon the grass. Then was the child carried to the provost, and from him to the bailiff, who gave orders, that it should be carried back again and cast into the flames." The bailiff was Hellier Gosselin.

On the accession of Elizabeth, the catholics in turn became the victims of protestant persecution. The court issued ordinances commanding the delivery of all popish idols and books under pain of heavy fines, dated 1st of October, 1571. One Richard Girard was flogged through the town for upholding mass, on the 25th April, 1579; and all strangers were ordered to profess the established religion within a given period, or quit the island, by an ordinance dated 22d January, 1593.

In 1598, the Channel Islands were separated from Coutances and attached to the see of Winchester. Shortly before this change, the then bishop of Coutances obtained a letter from the lords of the council to the governor, bailiff and jurats, dated 13th April, 1585, to require, in the queen's name, the payment of all such duties and sums of money as had been heretofore, or ought of right to be, paid to him. He, claiming, it would seem, certain dues in the island, as well in right of his abbey of Lessey, as of his bishoprick, for the recovering thereof, sent his procureur or agent to the island, with orders to make his application to the governor, who referred him to the bailiff and jurats. These, at his request, summoned John After, then dean, to appear and answer to the bishop's demands. When he appeared, the bishop's procureur protested against After, as not having right either to the deanery or to the parishes of St. Martin and St. Peter-in-the-Wood, (both which, by the queen's appointment, he was possessed of,) because he held them without any

authority from the bishop of Coutances. The dean replied, that he had sworn obedience to the queen of England, and her laws in ecclesiastical affairs: that he had renounced the pope and all foreign jurisdiction, and that he held the deanery and two parishes, by episcopal authority through the bishop of Winchester, most probably, who, from other circumstances, appears to have had some inspection into the spiritual affairs of the island at that time, although the order for annexing it to that see is of a later date. Dean After then declared, that if the bishop of Coutances' agent would, in his master's name, take the oath of fidelity to the queen, promise to obey her laws in ecclesiastical affairs, and renounce the pope and his adherents, he would acknowledge the bishop of Coutances' authority in the island; and that he was ready to give any further answer that should be required of him. Thus the matter ended, and the bishop lost his fees.

Soon after this change of religion had been effected by Elizabeth, many French protestants arrived in the island to avoid the persecutions they suffered in their own country, and being chiefly disciples of Calvin, and observers of the worship of the church of Geneva, they gradually found means to introduce their own principles. At this time, accordingly, most of the pulpits were occupied by presbyterian ministers, who, being supported by the governor and other authorities in the island, after a time regularly held synods, at which they regulated all church affairs. Elizabeth, by an order dated the 7th of August, 1565, sanctioned the presbyterian discipline and form of worship in St. Peter-Port and St. Helier's, and the example soon spread, and became general in all the churches. Even the governors favoured this innovation, and they were present at a synod of all the ministers and all the elders of the united islands, held in Guernsey on the 28th of June, 1576, when the new discipline received the unanimous support of the meeting. This system, thus introduced, was likewise sanctioned by James the First, by an order in council, dated 8th August, 1603, in which it is declared that, "we will and ordain that our said isles shall quietly enjoy the said liberty in the use of their ecclesiastical discipline there now established." But in course of time, episcopacy superseded presbyterianism in Jersey, and gained its old ascendancy, about the year 1619. But the use of the surplice, the sign of the cross in baptism, and the ceremony of kneeling at the Lord's Supper, were dispensed with. To this day the surplice is not worn in the parochial churches of Guernsey; although it is used in St. James's. The reformation would, no doubt, have extended to Guernsey, had not the king soon died, and the troubled reign of Charles the First followed, which was succeeded by the rebellion.

Dr. Heylin, who came here as chaplain to the Earl of Danby, in 1629, says that such was the obstinacy of one of the ministers, named La Place, that he would not, at first, allow prayers to be read to the soldiers in the town church, even when not used by himself; and when at last he was induced to yield, he stipulated that neither the litany should be read, nor the communion administered. Soldiers wishing to receive the sacrament were ferried over to the castle, where it was administered to them in the great hall.

During the time that the roman catholic religion prevailed in the Channel Islands, both Guernseymen and Jerseymen studied divinity in France. But, after the reformation, queen Elizabeth having transferred the spiritual control of the islands from Coutances to Winchester, it became necessary to provide other means of instruction. In the time of archbishop Laud, an estate, consisting of houses in London, and lands in Buckinghamshire, escheated to the crown, and that prince prevailed on king Charles to endow three fellowships at Oxford, one in each of the three colleges of Exeter, Jesus, and Pembroke, for students from Guernsey and Jersey, to be held by them alternately, the alternation to proceed in the following order: that, to whichever of the two islands the election of two fellows should chance first to fall, the other island should come in for the next two turns, and so on, in a continual rotation for ever. To those three fellowships there have been since added five exhibitions or scholarships, in Pembroke college, each of twelve pounds per annum, not alternating as the former, but so divided and proportioned, as that Jersey, being the larger and most populous, has three of them allotted to her, and Guernsey the remaining two. These were given by bishop Morley, a pious and public-spirited prelate, upon his taking into consideration that the inhabitants of these islands had not those advantages and encouragements to the education of their children, which were enjoyed by others of his Majesty's subjects.

During the rebellion, nothing was done to reform the church; but on the restoration of Charles the Second, the act of conformity was enforced, and the office of dean revived. The people, by degrees, were induced to adopt the service and

discipline of the church of England, though, as recently as 1755, the dean was obliged to have recourse to the civil power to enforce the reading of the litany, and to this hour, as we have before observed, the surplice is not used.

The parochial churches are all commodious edifices, and the present bishop of Winchester has repeatedly said, that no churches, in any part of his diocese in England, are kept in such good repair. The increase of population has been accompanied by an increase of the places of worship. The first church of England chapel of ease, called Trinity Chapel, was built in 1788, at an expense, including the purchase of the ground, of £3,340 : 10 : 6½, since which, an organ has been furnished at the cost of one hundred guineas. It contains 646 sittings, and the service is in French. The second is called Bethel : it was built by Independents, and afterwards sold, in 1796, for the performance of church of England service, which at first was in French, then in English, subsequently in both languages alternately, and now in English alone. The third chapel of ease, called St. James's, was built in 1817—it contains 1,300 sittings, including two hundred free seats, and 200 for national school children. To these may be added a district church at the Amballes, now in the course of erection.

DISSENTERS.

Dacey, who wrote in 1751, says, "dissenters they have none." Opinions, however, have so wonderfully altered since he wrote, that nearly half the population of Guernsey may be said to be dissenters. The first in the order of time are the Quakers or Friends. This society was established here in 1782, by Claude Gray, from Barking, in Essex. He was educated in the roman catholic faith, the principles of which he abandoned at Jersey, and embraced those of the friends. He was imprisoned, and then banished from Jersey, in 1741, for maintaining his religious scruples. He returned to that island, when he was imprisoned and banished a second time, but the sentence was reversed by his Majesty in council, with permission to return and reside in Jersey. He settled in London in 1745, and then went about travelling as a minister, and, visiting Guernsey in 1782, he established the quaker's society. The meeting house of this denomination of Christians was only erected in 1811—it will contain from 150 to 200 persons, but the number of the sect is very small, and the chapel is rarely, if ever, filled.

The Wesleys made their appearance in the Channel Islands in 1783, commencing with Jersey. The circumstance that led to their visit was the following. A few soldiers, who had heard the gospel preached at Winchester and Southampton by Wesleyan lay preachers, being stationed at Jersey, asked some serious persons whom they perceived were also desirous to establish English preaching, if they were willing (being Calvinists) to receive a preacher from Mr. Wesley's connexion, if one could be obtained. The latter consenting, the soldiers wrote to Mr. Egan, a lay preacher in England, requesting him to submit their case to Mr. Wesley. When John Wesley received the letter, he was on an excursion in company with a gentleman of fortune, liberality, and piety, of the name of Brackenbury, who had joined the society some years before, and preached in that connection. Mr. Brackenbury, being acquainted with the French language, viewed the request of the soldiers as a providential opening for preaching the gospel in the Channel Islands, and instantly offered his services, which were accepted. He arrived at Jersey in December, 1783, and began to exercise his ministry, first in an old religious house near the sea, afterwards in a large hired room. About two years afterwards, or in 1785, he paid a visit to Guernsey, where he preached in several private houses, as well as out of doors, to numerous and attentive hearers. Soon after this, the Rev. Dr. Coke, another Wesleyan minister, visited Jersey, and upon the favorable report that Mr. Brackenbury gave of his journey to Guernsey, he also came hither, and laid the foundation of the Wesleyan society by joining twelve persons in church membership. Dr. Coke was followed by Mr. De Quetteville, a lay preacher, from Jersey, and in 1786, the late Dr. Adam Clarke was appointed by John Wesley to preach in these islands. At first, his preaching was well received, both in town and country, the people attending in crowds, and listening with devotion ; but when the good work had assumed something like a tangible form, the demon of persecution arose. The places, in which they worshipped, were frequently surrounded by furious mobs, who threatened to pull them down, and they could not retire to their homes without being pelted with stones and other missiles. To Dr. Clarke the most violent personal indignities were frequently offered, which more than once endangered his life. One one occasion, at St. Aubin's, Jersey, one of the magistrates, putting himself at the head of the mob, dragged him from the pulpit. The drummer of the St. Aubin's militia was then

called, who actually beat his drum through the streets, while the preacher was conducted by the populace to the extremity of the town, where they dismissed him with a most ferocious assurance that worse treatment awaited him if he ever ventured to return. He, however, told them that he would, and, at the appointed time, he did so, and began the service. The mob, finding that he possessed an undaunted resolution, surrounded him, rather to admire his courage than to execute their threats; and, permitting him to proceed in peace, they became the proselytes of the very man they had confederated to destroy.

In 1787, Mr. Wesley himself visited Guernsey, and, as he states in his journal, dined with the governor, and preached at the assembly rooms, in the market place.

The first Wesleyan chapel was erected in Le Marchant-street, opposite the court house, in 1788: it may contain about 600 sittings. From that time, for a quarter of a century, no other place of worship was built; but, during the last twenty-five years, so rapid has been the progress of the sect, that no fewer than eleven chapels have been erected: one, at St. Pierre-du-Bois, in 1813; one, at the Forest, in 1814; Ebenezer, in New-Town, in 1815; one, at St. Sampson's, in 1817; one, at the Catel, in 1818; one, at St. Martin's, in 1819; two, at St. Andrew's and St. Saviour's, in 1820; one, at the Vale, in 1822; one, at Torteval, in 1824; and Wesley Chapel, at the Bouet, in 1835; so that the Wesleyans have one chapel in each of the country parishes, and three in town. The country chapels vary in size and contain from 250 to 425 sittings. Of those which are situate in the town, Ebenezer chapel contains 1,200 sittings; Le Marchant-street chapel, 600; and Wesley chapel, 350. The service in Le Marchant-street, as well as in all the country chapels, is performed in the French language; in Wesley chapel, in French and English; and at Ebenezer, in English only.

The rapid progress of the Wesleyans, particularly during the last twenty years, will be seen by the following returns of their numbers, as reported by the general conference minutes.

In 1800.....	397	Members, French and English.
1805.....	490	do. do.
1810.....	177	English..... 400 French..... Total 577
1815.....	202 450 652
1820.....	240 590 830
1825.....	310 740 1050
1830.....	286 788 1054
1835.....	440 1080 1500

It is computed that the members belonging to the sect form about *one-third* of the *adult* population attending service in their chapels; so that, calculating the united members of the different congregations, we have a total of four thousand five hundred *adult* persons connected with this body in this island. It is one of the peculiarities of this denomination of Christians, that the majority of their ministers are laymen. Thus, although they have twelve chapels in town and country, in which service is regularly performed twice on the Sabbath in French, and once on week evenings, there is but one stipendiary minister appointed by the conference, all the other services being performed by laymen, who labour without fee or reward.

The third sect we have to notice, is the Independent. It is not precisely known when they first established themselves in the island; but that they did so before 1790, is evident from the fact that they built Bethel chapel. Not being, however, sufficiently numerous to support it, they sold it to the established church, and held their meetings in a large room at the Tourgand. About 1810, the Rev. Clement Perrot came over to this island, and after he had preached some time in that room, and also in the open air, the chapel in New-street, New-Town, was erected, in which he, for several years, officiated in the French language, and the Rev. Andrew Gray, in the English language. In 1813, another chapel, capable of containing about three hundred and fifty persons, was built by the society, at the Vilette, St. Martin's parish; and in 1815, another chapel, affording accommodation to about three hundred persons, was erected in St. Andrew's parish.

The pastoral care of the two first of these places of worship has for some years devolved on the Rev. Mr. Hine. The English service at New-street chapel was continued but for a few years. The English Independents, after having discontinued meeting at New-street chapel, met for several years in a large room at Berthelot-street, under the care of the Rev. William Laxon, until they built a chapel at Clifton, capable of containing three hundred persons, in which that gentleman still officiates. A second English Independent congregation was formed

here by the Rev. William Morris, in 1830, for whose use Eldad chapel, in New-Town, capable of containing about eight hundred persons, was erected in 1831.

The French Independents have likewise a chapel at St. Saviour's, opened in 1817, affording accommodation to about two hundred persons, which, up to the time of his death, was under the pastoral care of the late Rev. Peter Decks. The charge of this chapel, together with that at St. Andrew's, has devolved on Mr. Hine.

The French particular Baptists have two chapels, one at La Fosse, in St. Martin's parish, and another at St. Saviour's, and a room in Bordage-street. Messrs. John Le Clerc and Peter Mollet are the pastors of the two former, and Mr. Thomas Nant, of the latter.

The Bryanites have a chapel at Vauvert, capable of containing about two hundred and fifty persons, and the Primitive Methodists hold services in a large room in Pollet-street. Both these sects belong to offshoots of the Wesleyan body.

The Unitarians meet in a large room, formerly used as the girls' national school, near the Plaiderie. The officiating minister is Mr. Samuel Weston. The room will hold about two hundred persons, but the congregation seldom exceeds twenty; but when Mr. Bateman visits the island, his attractive eloquence usually collects more than a hundred.

The Roman Catholics owe their establishment here, as a body, to the decree passed against the French clergy, in 1793, by the national convention, when the Abbé Coulon, chaplain to Marie Antoinette, the unhappy queen of the unfortunate Louis the Sixteenth, along with several other clergy, found an asylum here, and opened a place for worship at the Bordage. They afterwards occupied a large room near Tower-Hill, and a very neat chapel was erected by them in Burnt-lane, in 1828. The services are performed in French by the Rev. Mr. Navet, who, during the late war, was chaplain to the roman catholic soldiers in the garrison, and then preached both in French and English. Now, the Rev. Mr. Hodgson performs the service in the English language. The French congregation consists principally of the French retail provision dealers and seamen frequenting the port; the other congregation, of Irish families and such soldiers in garrison as belong to that denomination of Christians.

Although the introduction of so many rival sects has contributed to lessen the numbers and influence of the church as to temporal matters, yet it cannot be doubted but that, by a sort of reflex operation, it has had a most beneficial effect on the energy and piety of its ministers, whom it has roused from a state of lethargy, to one of jealous concern for the welfare of the establishment, as well as (what is of far higher importance) zeal for the spread of vital religion. Hence the extra services now performed by most of the parochial clergy. Until the last few years, only one service was performed in each parish church on the Sunday — and in those of the Forest and of Torteval, of the Vale and of St. Sampson, which are under the care of only two ministers, only one service each alternate Sunday, was performed; whereas now, service is performed in the town, and all the country churches, excepting the four just mentioned, twice every Sunday; in these four, once every Sunday, besides weekly lectures in almost the whole of them.

TAXATION OF St. PETER-PORT, GUERNSEY.

The first tax list existing in the constables' office is dated in 1715, the constables and douzainiers of the parish of St. Peter-Port, duly authorized by the chief pleas, having, on the 8th March, proceeded to raise 500 livres tournois (£35: 14: 8 sterling), to purchase powder, matches, and other ammunitions of war, required for the magazine of the said parish. The inhabitants were then assessed at 16,531 quarters, on which 7½ deniers (about one half-penny) were levied per quarter. The highest rates were those of Thomas Le Marchant, Peter Etienne (Stephens), and John De Sansmarez, bailiff, assessed at 500 quarters each, a large property in those days, and the lowest rate was five quarters. This tax list is signed by John Bouillon, and Daniel Painsec,* constables, Richard De Jersey, Nicholas Carey, John Mauger, Ab. Monamy, James De Havilland, John Dobrée, A. Le Messurier, Nicholas Dobrée, Joshua Gosselin, John Tupper, Thomas Gosselin, Henry De Jersey, James Perchard, and John Bowden, douzainiers.

The next tax list also bears date in 1715, the inhabitants having, on the 21st

* A singular conjunction of names, both now extinct, as well as that of Monamy.

March, been duly assessed for 700 livres tournois, to pursue the cause against Mr. William Le Marchant, relative to l'Hyvreuse, before king in council.

The third tax list is dated in 1790, when 1000 livres tournois were levied for the repair of the guard house at Fermain, the rent of the guard house at Belgreve, the purchase of powder, and other parochial wants. The inhabitants were this year assessed at 17,648 quarters, Thomas Le Marchant, sen., paying on 600 quarters, the highest rate.

The fourth tax list is dated in 1794, the constables and douzainiers having, on the 14th December, proceeded to raise 4,000 livres tournois (£285 : 14 : 3) for the relief of the poor. The inhabitants were now assessed at 23,200 quarters, and the rate was 3 sous 6 deniers (three pence sterling) per quarter. The highest amounts were Nicholas Dobrée, Thomas Le Marchant, and Peter Carey (de la Brasserie), rated at 600 quarters each. This is not stated as being the first tax raised for the poor, but, having made reference to the account books in the hospital, we find that it was so, as will appear by the following extract from the account current of the collectors for that year, viz. "Pour la première taxe levée sur les habitants de la dite paroisse, le 14 Décembre, 1794, pour la subsistence des dits pauvres." The oldest account of the collectors, now existing in the hospital, is dated in 1694, when, and previously to 1724, the poor were relieved by rents and money bequeathed for that purpose by charitable individuals, contributions at the communion table and church door, and fines exacted by the royal court. They appear also to have been relieved as the *pauvres honteux* now are, as the hospital was not built till 1742.*

From 1724, the inhabitants of St. Peter-Port appear, by the books in the constables' office, to have been annually assessed, with occasional intermissions, as at present, for the various parochial wants; and we now proceed to give details of the assessments, every ten years, commencing with 1780.

In 1780, the inhabitants raised 4000 livres tournois on 20,878 quarters, charged at 3 sous 10 deniers per quarter, and payable in four instalments. The highest amount paid was by Peter Stephens and son, rated at 600 quarters.

In 1740, the assessment for the poor was also 4000 livres tournois on 21,804 quarters, at 3 sous 6 deniers per quarter. The highest tax was that of Thomas Le Marchant, rated at 600 quarters,—the lowest tax was 5 quarters.

For 1750, there is no record, but in 1751 we find that 4000 livres tournois, payable in two instalments, were again raised for the poor "in the hospital" on 25,278 quarters, at 3 sous 2 deniers each. Thomas Le Marchant was taxed at 800 quarters, the highest rate, and the lowest was still 5 quarters.

In 1760, two taxes were raised, viz. 4000 livres tournois for the soldiers' quarters, cleaning muskets and bayonets, a new pump, &c., and 5000 livres tournois for the hospital, both on 33,312 quarters, rated at 2 sous 6 deniers for the former, and 3 sous for the latter. This is the first year in which we observe any taxes of four figures, James and John Le Ray being rated at 1200 quarters, and William Brock and his sons at 1000 quarters. Of single individuals, the highest assessments are Thomas Le Marchant and James Le Marchant, rated at 700 quarters each. No inhabitant was rated this year under 10 quarters, as is the case at present.

In 1770, the inhabitants were assessed 6000 livres tournois for the poor, on 44,155 quarters, at 2 sous 9 deniers per quarter, and payable in two instalments. The entries of four figures this year in one line are as follow, viz. John Carey, and widow John Le Ray, 1800 quarters; William Brock, sen., 1350 quarters; heirs of William Brock, jun., 1300 quarters; widow and son of Peter Stephens, 1260 quarters; John Brock, jun., 1100 quarters, and Thomas Carey and children, 1000 quarters.

In 1780, three assessments were made, viz. 1st March, 10,000 livres tournois on 61,930 quarters, at 3 sous 3 deniers each, for parochial debts and other public expenses; 1st December, 8000 livres tournois, on 61,925 quarters, at 2 sous 9 deniers each, for the same purpose; and 1st December, 6000 livres tournois for the poor, also on 61,925 quarters, at 2 sous each, together 24,000 livres tournois (£1714 : 5 : 8 sterling), and the rate 8 sous (nearly seven pence) per quarter. The individuals highest rated on the 1st December, were John Carey, 1850 quarters; Elisha Tupper, 1850 quarters; Nicholas Maingy, sen., 1650 quarters; heirs of John Brock, 1420 quarters; Peter Maurant, 1400 quarters; and Richard De Beauvoir, 1020 quarters. In the tax of the 1st March, this year, £30 a year interest in the English funds were estimated at 40 quarters, and £1000 capital at 50 quarters, as at this moment, being the first notice of the kind in the tax books.

* The individuals who had charge of the poor, were styled "Diacres" until 1663, since which period they have borne the title of "Collecteurs des Pauvres."

In 1790, the assessment was 7000 livres tournois on 77,100 quarters, at 2 sous each, for the hospital. There were seven individuals rated at four figures, of whom two at 2000 quarters and above, viz. Elisha Tupper, at 2300 quarters, and John Carey, son of John, at 2030 quarters.

In 1800, two taxes were levied, both on 22d May, viz. 10,000 livres tournois on 94,455 quarters, at 2 sous 2 deniers each, for poor strangers, pumps, lamps, rents due, &c., and 14,000 livres tournois on 94,455 quarters, at 8 sous each, for the poor, and repairs of hospital, together 24,000 livres tournois, or nearly 4½d. per quarter. This year we find fourteen persons rated at four figures, of whom only one at 2000 quarters or above, viz. Elisha Tupper, rated at 2450 quarters.

In 1810, five taxes were raised, viz. 28th June, two sums of £800 sterling each, on 98,955 quarters, at 4d. each, for the hospital and constables; 5th October, £1901 : 3 : 1 sterling, on 101,995 quarters, at 4½d. each, towards the high roads to Vason and Rocquaine; and 28th December, £1600 for the constables, and £1200 for the hospital, on 96,075 quarters, 7d. each, making together this year £8301 : 3 : 1 sterling, and the rates 15½d. per quarter. There were twelve rated at four figures, of whom two of 2000 quarters or above, viz. Sir James Saumarez, 2800 quarters, and James Carey, 2000 quarters. It was in 1804 and 1805 that the calculations were first made in sterling, and that those in livres tournois were discontinued.

In 1820, three taxes were also raised, the whole on 137,760 quarters, viz. £1600 sterling, for pumps, lamps, &c., and £1600 for hospital, both at 2½d. per quarter, and £600 for the *pauvres honteux*, or external poor, at 1½d. per quarter, together £3800, collected at 6½d. per quarter. Twenty-six persons were now rated at four figures, of whom seven at 2000 quarters or above, viz. Sir James Saumarez 5000 quarters; John Allaire, 4900 quarters; Thomas Priaux, 4500 quarters; Carteret Priaux, 4200 quarters; Peter Stephens, 2500 quarters; Anthony Priaux, 2150 quarters, and widow and children of Daniel Tupper, 2050 quarters.—On the 10th February, this year, the royal court decided that the taxes should be raised, for the present, on income as heretofore, and not on capital, as sought by some of the parishioners, who urged the injustice of their income, and not their capital, in the French and other foreign funds, being taxed, those funds being then considerably under par, and yielding 7 to 8 per cent. on the capital invested. But, by an entry in 1824, we find that the system was then changed, and capital became, as it now is, the basis of parochial taxation, property of any kind, worth £1000, being assessed at 50 quarters. Although this system is analagous to that established in 1780, as already cited, yet it bears hard on those whose income is derived from the English funds,—for instance, this year (1836), the 3 per cent. consols were assessed at 90, and an individual possessing £1000 consols was charged for 45 quarters, although the interest was only £30. It is, however, manifestly impossible to establish any system of taxation which will not press unequally on some individuals, and we think the present mode as equitable as will ever be attained, while the property of the parishioners is invested in so many channels quite unknown to our ancestors.

It may be well here to observe, that the immense increase of 38,805 quarters between 1810 and 1820, was owing in a great measure to the fortunate investments of many of the parishioners in the French funds, after the peace of 1814, large sums having been transferred from the English funds and other sources into the French 5 per cents. under 60 and 70, by which means the incomes of many were increased by at least one-third, and a proportionate increase in the number of quarters naturally followed, income and not capital being then, as we have already observed, the rule of taxation.

In 1830, three taxes were raised simultaneously on 150,805 quarters, viz. £1400, at 2½d. per quarter, for the hospital; £700, at 1½d., for the *pauvres honteux*; and £1500, at 2½d. for other parochial purposes; together £3600 or 6½d. per quarter. In this year we find twenty-two individuals possessing incomes of 1000 quarters and above, of whom five were assessed at 2000 quarters and above, viz. John Allaire, 5500 quarters; Thomas Priaux, 4200 quarters; John Carey, son of John, 2120 quarters; Hilary Rougier, 2075 quarters, and Joseph Collings, 2000 quarters.

In 1836, the following taxes were raised on 156,080 quarters, representing a capital of £3,121,600 sterling, viz. £1800 sterling for pumps, lamps, improvements, &c.; £1400 for the hospital; £1000 for external poor; and £100 for the parish church, together £4300 sterling, collected by a tax of 7d. per quarter. It is well to mention now that the douzaine, to avoid fractions and to allow for the reductions on individuals over-taxed, usually fix the rate a little higher than the amounts actually required. In this year we find twenty-one individuals of four figures,

of whom eight of 2000 quarters or above, viz. John Allaire, 6900; Thomas Priaux, 8300; John Carey, son of John, 2270; John Collings, 2265; William Collings, 2230; Hilary Rougier, 2225; Joseph Collings, 2015; Mary Le Marchant, 2000.

Our task approaches its termination, and we hasten to conclude it by a few general observations. It has already been shown that, in the space of one hundred and twenty-one years, the wealth of the parish has augmented nearly tenfold, the annual average being 1161 quarters, although, considering the difference in the value of money and the mode of living, it is probable that 500 quarters income in 1715 were fully equal to 1500 quarters at this day. In 1715, and for many years subsequently, the greater part of the property of the higher ranks, which was taxed, consisted in "rentes foncières," or perpetual mortgages on the insular estates and houses; now, it is chiefly invested in public securities, and partially in shipping, trade, houses, and furniture. It is of course very difficult to predict the future course of the property of the town parish, but with the present gloomy commercial prospects, and the more expensive habits and wants of the existing generation, it is not probable that the annual increase will continue, at least in any thing like the same ratio. On the other hand, as long as the British and French governments keep faith with their creditors, no serious diminution is to be apprehended, unless indeed the division by degrees of the large fortunes now existing have that tendency. But should these two governments become either unable or unwilling to pay the interest of their debts, it is to be hoped that the reduction will be gradual, as any sudden stoppage would be attended in this parish with effects too disastrous to dwell upon or contemplate.

For the information of strangers, it may be well to add, that a quarter of rent is estimated at £20 capital, or £1 annual income; this has always been a general rule, but the income has occasionally varied, as now, with the price of the funds. A livre tournois is divided into 20 sous of 12 deniers each, and is worth 1s. 5 1-7d., 14 livres tournois being equal to one pound sterling.

F. B. T.

LAWS AND CUSTOMS OF GUERNSEY.

No. 2.—GUARANTEE.

By the law, or rather by the custom, of guarantee, which has for a very long period obtained in Guernsey, a preference is given to rent charges or other incumbrances on estates, according to the priority in the registry, or entering of such rents or incumbrances, at the Greffe or record office. By the same law or custom, the holders of wheat or other rents have a perpetual guarantee on the estate specially charged with the payment thereof, although that estate may have been subsequently divided, and the rents have been made payable on portions of it only. They have also the right, in the event of the proprietor of such estate being unable to discharge those rents, to call for payment of the same upon all persons who have at any time within forty years, but subsequently to the creation of the rents, either purchased houses, lands, or rents from that proprietor, or been owners of those rents, or have possessed, though for ever so short a period, the estate upon which they are chargeable.

This system, the leading principles of which may be thus stated within the compass of a few lines, is however so exceedingly complicated and almost endlessly diversified, in its practical operations, that, to persons who have had no occasion to observe its workings, it would be very difficult, if not impossible, to convey an adequate idea of it without the assistance of a few illustrative examples. These, therefore, an attempt will be made to furnish:—

1.—A has three fields of equal value, which he sells to B for an annual rent of thirty quarters of wheat. B in the course of a few years, erects a dwelling house upon one of these fields, and having done so, disposes of it to C, for the rent of thirty quarters due to A, with which C charges himself. B, after this, sells one of the two other fields to D, for the sum of £200,—and, subsequently again, the remaining field to E, also for the sum of £200. B possesses no other real property. C, after a lapse of some years, neglects to pay the rent to A, or perhaps the house is burnt down, and the field is reduced to its original value of ten quarters, although thirty are due upon it. Is A to be a loser of the difference, or of twenty quarters? No. He sues a *saisie* for the payment of the whole against C, who, unable to pay, abandons the property. A, never having lost his guarantee upon the whole of the three fields, calls upon D and E to take C's estate and pay him his thirty quarters,

or to abandon the two fields they purchased from B for £400, together with all such improvements as they may have put upon them. E, being the last purchaser has to make his election before D. If he take the property of C in order to save his own field, D is secure. If, on the other hand, he abandon it, D must choose between taking the two fields of C and E, and paying thirty quarters to A, or abandoning his own field. Thus the three fields, though they have passed into different hands, remain a perpetual guarantee to A.

This case shows that the holder of a rent has a perpetual guarantee on the estate specially charged with the payment thereof, though that estate may have been subsequently divided, and the rent been made payable on a portion of it only.

It has been stated that B possessed no other real property. Let it, however, be supposed that, when he purchased the three fields of A, he was proprietor of another field. That fourth field will be guarantee to A for the payment of the thirty quarters rent, during forty years, whether it remains in B's possession or passes into other hands.

2.—A is proprietor of two estates, one of them situate in the parish of St. Martin, and the other in that of St. Andrew. These he holds in fee simple or perpetuity, and, with the exception of perhaps a trifling rent charge to the lord of the fief, they are perfectly free from encumbrances. Becoming, however, in want of money, A, in the year 1810, creates an annual rent of fifty quarters of wheat, which he specially constitutes or settles on his St. Martin's estate, and he sells that rent to B for the sum of £1000.

In 1811, A sells his St. Andrew's estate for £1000, to C, who pays him the whole amount in cash. A pays his rent to B very regularly for a considerable period, but after a lapse of perhaps twenty years, he, either through improvidence or misfortune, suffers it to run in arrear, and the buildings upon the estate to fall into a state of dilapidation. B allows the rent to run in arrear during the privileged term of three years, before he commences proceeding against him for payment. A on being sued, avails himself of all the delays which the law allows, in order to gain time, but finally abandons the estate. B, finding that the estate, in its deteriorated condition, is not worth the fifty quarters of annual wheat rent, with perhaps five years arrears due to him, namely, three up to the period when he commenced the *saisie*, and two that may have elapsed since, together with the expense of that *saisie*, calls upon C, his heirs, or assigns, as purchasers from A of the St. Andrew's estate subsequently to the date of his own purchase from A of the fifty quarters of wheat rent, to take A's estate off his hands, and pay him the arrears, expenses of the *saisie*, and the fifty quarters rent annually thenceforward, or abandon the St. Andrew's estate for which he paid £1000, together with all the improvements which he, his heirs, or assigns, may have put upon it. This liability of C, his heirs, and assigns, lasts forty years from the date of the purchase from A, and they have no means to avert its effects, there being no known process by which they can oblige A to pay the rent regularly, or force B to sue him for the same at the end of the first year. Nay, they cannot compel B to proceed against the personal estate of A, though, as far as regards that estate, he may be in solvent, not to say affluent, circumstances.

This case shows that the holder of a rent has the right, in the event of the proprietor of the estate on which it is due, being unable to discharge that rent, to call for payment of it upon all persons who may, at any time within forty years, but subsequently to the creation of such rent, have purchased either houses, lands, or rents from that proprietor.

3.—A has a rent of ten quarters due to him by B. He disposes of it to C, and in so doing subjects the whole of his real property to guarantee the payment of it. C therefore, in purchasing that rent, does not inquire merely into the value of the tenement of B, on which the rent is specially charged, but he looks also to the property of A; for if B should fail to pay the rent, he, after compelling him to abandon his tenement, may call upon A to take it and pay him his rent, which A must do or lose his own estate. The guarantee of C upon the tenement of B is perpetual, because the rent is specially charged upon it,—but the liability of A lasts but forty years from the sale of the rent to C. The same thing holds good with regard to the assigner of a rent, whose property is guarantee for the payment of it during forty years, from the date of the assignment.

This case shows that a person having been the holder of a rent is liable to be called upon for payment should the debtor not be able to discharge it.

4.—A is desirous of purchasing an estate from B, but not wishing to make a direct application, employs C to make the purchase. C does so, and almost immediately after transfers the estate to A. Some years after, A becomes insolvent, and because his estate passed through the hands of C, the latter is forced to retake possession of it, and pay all arrears thereon, or lose any estate he may himself possess.

This case shows that the holder of a rent has a right of guarantee upon all persons who have become proprietors, though but for a very short period, of the estate upon which it is due.

Besides the modes of guarantee illustrated by the foregoing examples, there is another which is perhaps yet more extraordinary than either of them. It is the right of the holder of a rent to come upon any real property which may have been purchased or inherited by the debtor subsequently to his having contracted the obligation to pay the rent,—even though the property so purchased or inherited should have passed into other hands. For instance :—

5.—A sells a house to B for seventy-five quarters of rent, and £200 cash. A year or two after, B purchases a small piece of land, which he afterwards sells for five quarters of rent to C, who builds on it a tenement worth £200. In the course of eight or ten years, houses, in consequence of a stagnation of trade, so fall in value that B's house is not worth more than the seventy-quarters due upon it, and these he neglects to pay. A, after allowing two years to become due, sues him for payment, dispossesses him of the house, and then calls upon C to take it off his hands, and pay him forthwith about £200 arrears of rent and law expenses, and the seventy-five quarters annually thenceforward ; or to abandon, without compensation, the piece of land which he purchased from B, with the house he has built upon it. It will avail C nothing to urge the hardship of his case,—or to allege that B's house is in as good a state of repair as when A sold it to him, and that if it is worth less now than it was then, it is owing to a general depreciation in the value of houses, which would have occurred just as well had he never sold it to B, consequently that so far from having lost by its going into B's hands, he has made a clear and positive gain of £200, and might therefore well satisfy himself with that. Neither can he plead that it must be presumed A, in selling to B, was perfectly satisfied with the guarantee of the house he parted with, particularly seeing that he received £200 cash as part of the price, and could never contemplate B's subsequent purchase of the small piece of land, still less C's purchase of, and erection of a house upon, it. Reasoning of this nature, however conclusive and unanswerable, will avail C nothing. He has no alternative. He must take the house of B, fork out £200, and take upon himself the responsibility of paying seventy-five quarters of rent annually for ever, or else abandon his own tenement. C is a poor man and, through sheer necessity, chooses the latter.

One more example shall be given, which, though it cannot be referred particularly to any one of the general principles above stated, will, whilst corroborating several of them, show that heirs continue to be severally guarantees for the payment of the rents due upon property inherited from their ancestor, after it has been divided between them :

6.—A father, dying, leaves two or more children, and several estates, houses, or pieces of land, upon only one of which rents may be due. The children divide his property, and they, their descendants, or assigns (for it matters not whether the estates have been sold at any time since the original ancestor's decease) remain in quiet possession of them for perhaps twenty years. At length the possessor of the estate, house, or piece of land, upon which rents due, and who in the partition must have received an adequate compensation for this additional burthen upon his portion, becomes insolvent and renounces. The holder of a rent upon such property may come upon the proprietors of any of the estates which formerly belonged to the same ancestor, although the specific rent due to him was never due upon them ; or he may come upon any of the descendants from such ancestors, although they may be no longer possessed of any part of his property. The person thus called upon to guarantee is obliged, if a descendant, to abandon the whole of his own real estate, even though no part it has ever come to him by descent, or to pay the debt,—and if a purchaser, either to pay that debt or give up the property purchased with all its improvements, without compensation. This liability on the part of the descendants was formerly perpetual, but it is now, as well as that of the purchaser, limited to forty years.

It will have appeared from what has been stated, that guarantee may be classed under two heads,—one perpetual, the other limited to forty years ; the former comprehending all lands and tenements specially charged with the payment of a rent,—the latter all real property which, though not thus specially charged with the payment of rents, yet still actually belonging, or having formerly belonged, to the debtor of those rents, is during forty years, whether in his or in other hands, a guarantee for their payment. It of course naturally follows that there are also two classes of "garants," the one immediate, the other indirect ; and as the subject cannot be rendered too familiar to ordinary readers, it may not be amiss briefly to point out the distinction. The "garant immédiat," is the vender or his heirs, lineal or collateral ; the "garant indirecte" is the purchaser from the "garant immédiat," or his heirs, at a date posterior to that of the person who sues him. The difference in the extent of the obligation of the "garant immédiat" and the "garant indirecte" is, as may have been perceived, most material. The former is bound to guarantee, or must abandon all his estates, whether he possesses them by a previous title, or by a later purchase, or in any way whatever ; whereas, the latter is only obliged to abandon the property purchased from the former. But as the same estate may have been repeatedly transferred, so there may be a great number of garants ; and as all estates are divided among the heirs, according to the custom of gavelkind, it is difficult to say, when commencing a *saisie*, how many garants will have to be called upon.

It has been intimated that the system of guarantee, as practised in Guernsey, was founded rather upon custom than upon law. Such is the fact. No mention of guarantee is made in Terrien, Rouillé, or any of the Norman commentators, except in cases where a defect was found in the title; from which it would appear that the guarantee was nothing more than an obligation on the part of the seller to secure his title to the purchaser of the land or rent purchased. Thus, if any other person attempted to dispute it, the purchaser called on the seller or his heirs to defend him; and if the seller's heir attempted to enter upon the property alienated by his ancestor, the clause of guarantee, to which the seller had bound himself "sur l'obligation de tous ses biens, meubles et héritages, présents et futurs, et de ses hoirs," was pleaded in bar of his action. Therefore, where a father had made a feoffment by his deed to another, and thus bound himself and his heirs to guarantee, the son could not enter into possession of the lands, because of this clause; but if the deed had been made without guarantee, the case would have been otherwise, for the son then, notwithstanding the transfer, could immediately have taken it. This guarantee was both lineal and collateral; and the garant was bound either to maintain the purchaser in the possession of his feoffment or purchase,—to provide him another of the same value,—or otherwise to indemnify him. But no trace can be found in the Norman law of the right of the person guaranteed to come upon all those persons who may have purchased from the garant, lands which he held at the time he contracted the obligation, or which he subsequently acquired, but which, in neither case, were specially charged with the payment of his rent.

The evil results of this extension of the system of guarantee were most seriously felt towards the close of the last war, when houses and land which, in town particularly, had reached so enormous a price as to cause much overtrading in that description of property, experienced a sudden depreciation in value. Those results were greatly enhanced by that part of the system which acknowledged as perpetual those guarantees which are now limited to forty years, and allowed the rent-holder the privilege of claiming from the garant no less than nine years' arrears antecedently to the commencement of the *saisie*, which *saisie*—from the number of legal delays then allowed, as well as the number of guarants which the rapid depreciation of property and consequent insolvencies rendered it necessary to call upon—frequently lasted from five to seven years, thus making an accumulation of from ten to fifteen years' rent for the garant to pay, or to abandon the property he had purchased from the debtor. The evil indeed rose to such a pitch, and was so very extensively felt, that all confidence in real property transactions was shaken, and many proprietors of houses and land suddenly found themselves reduced from a state of comparative opulence to one of poverty, by being compelled to give up their property for debts not their own. Numerous complaints of this and other defects in the law between debtors and creditors, were forwarded to his Majesty in council, and petitions presented for their redress. The consequence was that, in 1815, three English barristers were appointed under a royal commission to come over to the island to examine into the state of the laws then in force, and report to his Majesty in council the information they could collect, together with their own opinion as to what changes it might be advisable or necessary to effect in them. The question of guarantee was that which most embarrassed, in the first place, the commissioners, and subsequently the lords of the privy council and law officers of the crown. It was found to be so interwoven with the whole system of real property then existing, as to render a change in it a most difficult affair. The commissioners objected to the holders of rents being entitled not only to a priority over other creditors, in consequence of the registration of their rents, but to tack to their original demand all arrears to the extent of nine years,—an objection which the royal court, on the 27th April, 1823, partially removed by an act of legislation, in the shape of an ordinance, which reduced the privileged arrears to three years,—a limitation which was afterwards sanctioned by the privy council. The commissioners also recommended that the duration of the right of guarantee on the part of holders of rents against all persons who had been at any time the owners of such rents, or who had been possessed of the estate upon which such rents were due—whose duration was, they said, understood to be perpetual*—might be limited, but without giving any opinion as to the extent of the proposed limitation.

Finally, after a lapse of several years, and a vast amount of correspondence on the subject, it was, on the recommendation of the royal court, ruled that the proceedings in *saisies* should be considerably abridged, the nine defaults previously allowed the debtor, as well as the creditors and *affieffeurs*,† being reduced to five. This beneficial alteration, together with the previous limitation of the privileged arrears from nine years to three, tended considerably to prevent their accumulation to the prejudice of those who were liable to be called upon as "garants." The other altera-

* The royal court, in their observations on the report of the commissioners, having stated that "although opinions had differed, and still did differ, on this subject, the majority of the court was of opinion that such guarantee did not continue beyond forty years," it has throughout the whole article been taken for granted that such was the law,—although there clearly are recorded decisions which make that guarantee to be perpetual.

† The method of working a *saisie* will be explained hereafter.

tions—which the court most strenuously opposed—were the restriction of the personal liability of the grantors of rents, and of those from whose hands those rents afterwards passed, as well as the liability of other lands acquired by them, to the term of forty years; and the absolute exemption of all after purchased lands, and by implication of all real property, from liability to guarantee with respect to rents created after the registry of the order in council, in Guernsey.* The nature of the last mentioned change does not appear to be generally understood, or rather, not many persons seem to be aware that such a change has been effected. The court, in opposing it, observed, that although “such a regulation might be very proper in itself, yet tacked as it must be to a system where all lands and rents were differently regulated, and where the chief part must for a great number of years continue so, there seemed some danger of confusion in thus subjecting one part of the rents and lands to one law, and one part to another law.” Of this, although the change is good, there can be little doubt, and it will be a curious anomaly when that change comes into operation, to find, in some cases, a posterior registry in a better position, as to guarantee, than an anterior one.

Thus: A purchases a house from B, in 1836, a few days after the registry of the order in council, for which he gives B £200, and engages to pay him twenty quarters of annual wheat rent. In 1837, being in want of the £200 he paid as purchase money, he creates ten quarters of rent, which he sells to C, and constitutes them on that house. In 1830, he purchases a field for which he pays £300 cash. He afterwards, say in 1836, borrows money from D, E, and F, who all register against his real property, and in 1837 he becomes insolvent. It is clear that the claims of D, E, and F, though last registered, are preferable to those of B and C, because they alone are registered against the field, which is the only valuable part of the property, but which, being an “after purchased land,” is not guarantee to the latter. From this altered position of things, various questions, such for instance as the following, may, and no doubt will, arise:—Would a book debt, registered at the same time as C’s rent, have a guarantee on the field in preference to the claims of D, E, and F, whilst C’s rent had no such guarantee at all? Would C’s claim if a bond, instead of a rent, have had such guarantee? Does the phrase “after purchased lands,” include every description of property,—rents, to wit?—and does it likewise refer to “after inherited property?” The two former questions we should feel disposed to answer negatively; the two latter, affirmatively. But, for their solution by the proper judicial tribunal, we must wait—*le temps viendra*. B—

We have stated in this article that guarantee, as it obtains in Guernsey, is rather a custom, than law, and therefore not an integral portion of the old Norman jurisprudence. Whether it prevails in the sister island of Jersey to the same extent, as it does with us, we are not able to determine; but we anxiously invite some of the juriconsults among our neighbours to devote some spare hours of their leisure to the compilation of an article, explanatory of the forms and rules observed in Jersey on this very important branch of our insular laws. We feel some confidence that this appeal will not be made in vain, as an active and ardent desire has been recently manifested to improve and remodel their system of criminal jurisprudence. Indeed, both islands have grown out of their old institutions, and existing abuses only require to be known, through the medium of the press, to receive a judicious correction. We had indeed hoped, long before this time, to have enriched our pages with some specimens of Jersey erudition, and we still are sanguine that the birth place of Robert Wace, yet cherishes the love of philology and literature.

* The order is dated 30th December, 1835.

TO CORRESPONDENTS.

The Sarnian Melody is in type, and ready to be struck off; but the article on the Law of Guarantee, occupying more space than we contemplated, we have been most reluctantly compelled to postpone it. We hope our contributor will excuse this omission, which we sincerely regret, as the first and last stanzas are eminently poetical.

We have to acknowledge the receipt of a letter signed “An Original Subscriber,” in which he suggests the propriety of our giving a succinct summary of such local events, as occur in the course of each month. In his general recommendation we entirely acquiesce, but he must see that it requires some tact so to report this description of intelligence, without trenching on the province of the newspaper. We will, however, endeavour to devise a plan which will, in substance, meet his wishes, and yet steer clear of the plagiarism that we must avoid.

THE

GUERNSEY & JERSEY MAGAZINE.

OCTOBER, 1836.

ON THE SPIRIT OF RADICALISM.

THE state of political parties in England, at the present time, clearly denotes that the period is rapidly approaching when an organic change must be effected in the form and structure of the constitution. As education has been more extensively diffused among the people, a desire to improve national institutions has been daily gaining ground, and civil and religious liberty have ceased to be empty sounds. The repeal of the test acts, and the removal of catholic disabilities, gave the first blow to the monopoly of the established church; while the reform of the house of commons, and the lustration of the municipal corporations, were the first instalments of the great political debt which the aristocracy owe to the community. The recovery of these rights, so long delayed, and so obstinately resisted, made the people feel their strength, and they are now prepared and resolved to assert and vindicate all their rational prerogatives. A moral revolution is silently operating throughout Great Britain; prejudice is succumbing to fact, and idealism yielding to reality; the doctrine of final measures is exploded, and the public voice insists on the adaptation of the form of government to the existing wants of society. No prudent statesman will attempt to drive this current backwards, unless he is ambitious of rivalling the folly of Xerxes, who ordered chains to be thrown into the sea to ensure a perpetual calm. There is a time for all things, and we shall endeavour to show, in this article, that the time has arrived when the government must be based on the principles of radicalism,—principles grossly misunderstood by the timid, and studiously perverted by the interested,—but which have only to be known and felt in their purity and excellence, to be admired for their simplicity and cherished for their usefulness.

An analogy holds to some extent between the infancy and manhood

of nations, and those of individuals. As children require a protector and ruler, and are themselves incompetent to select the fitting agent, so also do rude tribes stand in need of a governor ; but they are unqualified to nominate or choose their own superintendent. In the first case, the law of nature supplies the defect, by pointing out the parent as the proper guardian of infants : and this very obvious rule, extended from single families to many, drew a tribe under one headship or chieftaincy, obedience being willingly paid either to the experience of age, or to superior bodily prowess ; for both these qualities protect the feeble against the strong, and therefore induce them to pay a ready submission to those best able to promote and secure their happiness. In all human probability, this was the origin of political society, and, accordingly, most philosophers have assumed this explanation as the basis of their reasoning in matters of government. And, indeed, it is obviously true ; for before the progress of civilization had given to wealth its commanding influence, physical strength and mental sagacity were the sole powers which could coerce the multitude, or win their free homage.

Many, however, and wide are the intervals, and resting places, and stepping stones, between the first formation of societies, and the period of the final division of labour, and the ultimate classification of ranks. Various are the agencies employed in this transit, to secure or retain supreme dominion. Now, it is plain, speaking in a general sense, that whoever wields these agencies, will apply them according to the spirit of the times in which he lives, and in reference to the prejudices, habits, and modes of thinking, which prevail among the masses. If a people are grossly ignorant, they will be domineered over by priestcraft, through the instrumentality of superstition ; if they are cowardly and spiritless, they will submit to a single despot, or to an oligarchy of despots, and be enslaved by the sword, or the dungeon. But the great lessons of history teach us that, with some rare exceptions, the military and ecclesiastical agencies form a coalition, the first organizing a salaried murdering force to keep down the *physical* force of the masses ; the second arming itself with spiritual weapons to repress and wither the *mental* force of the masses. So long as this government partnership existed, its united agency vested in the rulers an intolerable and irresponsible despotism ; for whatever laws were enacted, emanated from the partnership, and these were never the instruments of national justice, but the aids and supports of monopoly and exclusiveness.

The political constitutions of all the states of modern Europe having grown out of the feudal system, whatever features of tyranny still remain may be traced up to that source. Various causes have operated in different countries to liberalize national institutions, but these have rather tended to correct glaring evils, than to settle government on a

safe and solid foundation, merely lopping off a few cankered or unsightly branches, but still preserving and nurturing the root of the tree. It is owing to this timid and snail-paced policy, that injustice has so long prevailed in the world, dividing society into classes and factions, each seeking to aggrandize themselves by encroaching on the rights of their neighbours. No attempt at a comprehensive reform has yet been made, based on solid principles, but flagrant abuses merely have been abandoned, when they could no longer, by any possibility, be retained. In no part of English history, is there a single example of either whigs or tories anticipating the popular demand, by taking the initiative in the correction of vicious institutions. Both of these parties, whether in place or out of place, have pursued the same plan, neglecting the interests of the people, to promote their own. They have differed from each other only in name; and if the watchword of torism has been "loyalty," and that of whiggism "liberty," the covert meaning of both expressions has ever been "self-interest." But the diffusion of knowledge has now brought this jugglery to its doom, for not only does the physical, but also the moral force, now reside in the governed. Hence it is, that radicalism is now spreading its brightening influence among the people, and cheering them with the prospect of better days. To its mighty power, "vested interests," as they are absurdly called, must succumb, and, consequently, the present holders of them denounce radicalism as a sanguinary scheme of exterminating spoliation. With what reason, we proceed to enquire.

We take it for granted that, in a Christian country, the precepts of the Gospel ought to be the sole rule of duty and of action, whether to govern individuals, families, or communities. We, therefore, throw entirely out of consideration any, and every, system borrowed from the ancients, who lived under a totally different dispensation from that which is binding upon us. The sophists of Greece and Rome might, for instance, insist on the justifiableness of slavery: but a Christian, being expressly commanded to love his neighbour as himself, is deprived of the slightest plea for holding a fellow-creature in bondage. The political institutions of the pagan world are to be judged with leniency and forbearance, for their legislators had no steady, or clear, light to guide their path; they were the inventors of their own systems, without any model to work by, and their forms of government, accordingly, partook largely of the injustice and error of human pride and human frailty. But the moderns have no such excuse; they possess a simple and distinct code, if not of laws, at least of general principles, which they are bound to observe, not merely in the relations of private life, but in all the regulations of national policy. The greatest happiness, principle, as it is termed by utilitarian philosophers, is neither more

nor less than a deduction, mathematically accurate, from the fundamental principle of the Gospel, "do unto others that which you would have others do unto you." Hence then, radicalism, rightly understood,—we write it without profaneness,—is politics based on Christianity. Radicalism thus consistently rejects party or faction, because, within its comprehensive embrace, it clasps all mankind without distinction. Radicalism is not selfishly national, for its principles are neither fettered by geography, nor varied according to degrees of latitude and longitude. Radicalism is essentially Samaritan, for though the whig may pass by on the one side, and the tory on the other side, the true radical will succour misfortune wherever he may find it, whether on the banks of the Ganges, or the shores of the Thames. Radicalism is a vivifying, ennobling, gentlemanly, just, charitable, and honest system of moral philosophy, lighting its torch at the pure and undefiled altars of divine truth.

If we examine the form and structure of any of the governments of modern Europe, we find their foundations built on monopoly, and their superstructure crowned with injustice. Irresponsible legislators,—hereditary functionaries,—partial laws,—superfluity among the few,—insufficiency among the many,—pains and penalties inflicted on those who profess particular creeds, or promulgate any opinion which tyranny or conscious guilt pronounces libellous,—trade fettered by restrictions for the benefit of a class, and to the detriment of the masses,—standing armies, paid by taxes extorted from the people, to coerce the people,—a blended spectacle of gorgeous glitter and squalid misery, of insolent pride and fawning adulation, of titled turpitude and insulted virtue,—men raised to demi-gods, or depressed to slaves,—a hateful scene of vice and wretchedness, shocking to humanity, subversive of every principle of moral justice, and profanely opposed, in mockery and scorn, to the precepts and commands of our holy religion.

To what are we to ascribe this mass of evil, which afflicts the nations of Christendom? Has it been caused by what Castlereagh used to call "an ignorant impatience of taxation?" Is it owing to the imprudence of early marriages and the redundancy of population, as Malthus maintained? Is it to be ascribed to the issue of paper money, and the depreciation of the currency? Far from it; all these, and similar pretences, are not causes, but accidents. The true source is the detestable and fluctuating doctrine of expediency, and the absence of any fixed standard of government. But where shall we find this fixed standard? We answer, in the precepts of the Gospel; and were these the sole rules of legislation, then, most assuredly, radicalism, correctly defined, would be the unerring criterion of good government.

Pecuniary power has enabled the aristocracy to bribe a certain set of writers to describe radicalism as a wild, unbridled, ferocious, levelling,

and destructive system, by which a few pennyless demagogues have endeavoured to promote their own individual aggrandizement, by throwing the whole community into anarchy and discord. But with the blessed Gospel in hand, the radical asks the rational and honest, what real foundation can there be for such a charge, since pure radicalism is built on the precept, "do unto others as you would have others do unto you." We ask whigs, tories, and conservatives, to announce their respective principles, and declare the foundation on which they rest? We know, however, that we put an interrogatory which not one of them can answer, for they have no fixed principles or standard of conduct. All that they depend on, is expediency; and their policy has ever been, to break society down into factions, and to profit by the confusion. Talk of destructiveness, forsooth!—why, what has been the form of government, from the commencement of the monarchy, but one destructive of the rights of the people, for the benefit of a few families?

Let us examine some of the chief articles in the catalogue of the expediency politicians. We have primogeniture, destructive of family relationship,—a species of political calvinism,—by which one child is elected, and his brethren treated as outcasts. We have wars destructive of life. We have flogging in the army and navy, destructive of all the best feelings of humanity. We have laws, so complicated in their texture, and so tardy in their execution, that, though they are accessible to the wealthy, they are out of the reach of the poor,—a system destructive of justice. We have political disabilities attached to certain forms of religious belief, destructive of the freedom of conscience. We have absurdly artificial distinctions of rank, destructive of usefulness and honorable competition. In a word, survey the practical workings of the existing system, and there is not a nook or cranny, however small, which does not contain its portion of destructiveness. This is the form of government, to the maintenance of which the conservative party have pledged themselves. Conservatism indeed!—we do not quarrel with the word itself, but its real signification ought to be known: of what is this new system conservative? Why, most assuredly, of destructiveness.

The holders of vested interests are always opposed to any change in the institutions of a country. It is their advantage to keep things stationary. If the existence of political evil be once admitted, and the minds of men be directed towards its correction, a principle is immediately introduced, which may lead on to consequences never contemplated by the first advocates of reform. It is the apprehension of this result which unites the oligarchy into a compact phalanx, to resist every proposition which even indirectly questions the rationality of the prevailing system. It was this dread of remote contingencies which elicited the memorable declaration of the Duke of Wellington in favour of

rotten boroughs, for he was too sagacious not to know that their abolition was only the first step in the march of improvement. Now, it is certain, that this movement must continue, for every year produces increased knowledge, and thus strengthens the popular party. Great Britain is in a state of transition from oligarchy to democracy ; but this change will not be effected by the sword, but by the pen, nor will it be consummated before the true principles, on which government ought to be based, are familiarly understood by the masses.

We take it for granted, that whiggism and toryism are now exploded sophisms, and that henceforward they will exercise as little practical effect on the opinions of the people, as the antiquated doctrines of the cavaliers and roundheads. But for this narrow spirit of aristocratical partizanship, some substitute must be found, and what else can an enlightened nation adopt, but radicalism ? Let us not be either misunderstood or misrepresented. Every cause may be injured by false friends, as well as by open enemies. It is not because Thistlewood, or orator Hunt, or weathercock Cobbett, held extreme opinions, that, *therefore*, radicalism is to be denounced ; nay, more, we are quite satisfied that not one of these individuals, nor any of their followers, possessed an accurate knowledge of the true principles of radicalism ; all that they desired, to use a vulgar expression, was to kick up a row, without looking to consequences. So far as these persons were concerned, we grant that they were destructives, and could they have succeeded in their views, anarchy and disorder would have spread themselves throughout the country. But they were not radicals in the true sense of the phrase, for a pure radical merely desires to weed, not to uproot ; he exercises a discretion ; he reflects on the consequences of each of his actions ; and studiously avoids injuring the property, or hurting the feelings of a single human being, though, at the same time, he is bound to compel all individual interests to submit to general good. The radical knows but one lawgiver,—it is Christ ; he acknowledges the obligation but of one code,—it is the Gospel ; he pursues but one path of duty,—he finds it in the commands of the Scriptures ; he admits of no irresponsible superior, but the Supreme Being. Revealed truth, accordingly, is the polar star of radicalism.

In conformity with these principles, a radical legislature ought to base all human laws on the foundation of the divine law, thus adopting an unerring standard of right and wrong, which kings cannot annihilate nor lawyers mystify ; which gold cannot corrupt, nor iron break asunder ; a standard independent of time, place, and circumstances, having God for its author, and human happiness for its end. Laws, framed in this spirit, would take no notice of castes or factions, or parties ; for the Christian family, being one and indivisible, have equal

rights; they would make no distinctions of colour, but regard a negro, as old Fuller quaintly expresses himself, as an image of his Maker, carved in ebony; it would be impossible, under such a system, for court minions and ministerial favorites to occupy the higher grades of the state to the exclusion of worthier competitors, for the legislature would be compelled to respect the authority which declares that "the labourer is worthy of his hire;" we should no longer hear of poor men being transported for killing a hare, while wealthy squires and powerful lords, who seduce the daughters of poor men, escape punishment with the payment of a few pounds; the absurd and demoralizing deference now paid to wealth, and pedigree, and titular rank, would cease, and virtue and piety become the sole objects of national admiration and respect; in fine, a complete moral revolution would be effected in the habits, feelings, opinions, and conduct of mankind.

And, surely, the time has arrived when government ought to rest on something firmer than the shifting sands of expediency. We ascribe to this want of fixed principles the ruin of the once mighty empires of antiquity; their races are extinct; their institutions have become an enigma; their usages are mere matter of speculation; even their monuments have mouldered into decay. Their very language is forgotten, or, if remembered, it is a secret only known to a very limited class of students. But, passing from remoter to more modern times, what a spectacle does history present of war and rapine, of unequal rights, of despotism and slavery, of avarice and extortion. Even while we write, all Christendom yet sleeps on a volcano! Spain convulsed with civil war; Portugal lulled in false repose; dismembered Italy paralyzed by disunion, and debased by sensuality; the independence of Switzerland exposed to the caprice of neighbouring tyrants; the monarchy of France subsisting in name, but hourly menaced with the outbreak of a slumbering revolution; Belgium and Holland incensed against each other, but discontented with themselves; the Northern nations in a state of feverish excitement, the sword in collision with the pen; England restless, and Ireland all but revolutionized: these are the dreadful results of the doctrine of expediency, the political chameleon, changing its hues and aspects just as it suits the purposes of a few families who batten on the spoils of the people.

When the advocates of radicalism are taunted with being destructives, they appeal to the facts and experience of history to refute the accusation. To what record in the annals of modern Europe are we to turn, to perceive the beauty of conservative principles? Do we not find, in every quarter, the designing churchman, the ambitious monarch, the insolent aristocrat, the crafty diplomatist? Has not Christendom for centuries been deluged with blood? her cities devastated, her fields

despoiled, her territories depopulated affirmatively answer the question. Has this lust of power, this "*regnandi tam dira cupido*," been restricted within our own hemisphere? Let the natives of our colonies reply, *conservatively* stripped as they have been of their property and liberty, to say nothing of thousands of them having been *conservatively* murdered! Faugh! such rank hypocrisy sickens the soul; it is insulting to man, and impious in the sight of God.

Neither, under the expediency system, has the moral character of the nations of Christendom been raised to any elevated standard. Under its depressing influence, the masculine virtues have withered and faded away. The divine law says, thou "shalt not kill," yet he who slaughters tens of thousands is lauded as a hero, and the greater the massacre, the more brilliant are his honours. He, who at the risk of his own life, saves a fellow creature from drowning, receives no national reward; he may, indeed, obtain a medal from the Humane Society; but he is beneath the notice of the Defender of the Faith. Who indeed has not observed in his intercourse with mankind, as society is now constructed, that there is much religion with little charity; much profession with little practice; much bigotry with little virtue; much intolerance with little devotion; much law with little justice; and much government with little real liberty. All is artificial, hollow, and heartless; not that such is the necessary condition of man on this earth, but because the political institutions under which he lives have vitiated or deadened all the better feelings of his nature. The ambition of man seems to have been to breathe a factitious atmosphere,—to oppose human to divine laws, and to reject the happiness within his reach.

Look on yonder earth :

The golden harvests spring ; the unfalling sun
Sheds light and life ; the fruits, the flowers, the trees,
Arise in due succession ; all things speak
Peace, harmony, and love. The universe,
In nature's silent eloquence, declares
That all fulfil the works of joy and love,—
All but the outcast man—He fabricates
The sword which stabs his peace : he cherisheth
The snakes which gnaw his heart : he raiseth up
The tyrant, whose delight is in his woe,
Whose sport is in his agony. Yon sun
Lights it the great alone ? Yon silver beams
Sleep they less sweetly on the cottage thatch
Than on the dome of kings ! Is mother-earth
A step-dame to her numerous sons, who earn
Her unshared gifts with unremitting toil :
A mother only to those puling babes
Who, nursed in ease and luxury, make men
The playthings of their babyhood, and mar

In self-important childishness, that peace
Which men alone appreciate ?

Spirit of Nature ? No !

The pure diffusion of thy essence throbs
Alike in every human heart.

It is not here contended that radicalism would exterminate all vice, and make this state of being a paradise. So extravagant an assertion is contradicted both by common sense and revelation, for as evil is permitted to exist, no doubt for the best and wisest purposes, man is necessarily imperfect, and will so continue in this probationary condition. But, this admitted, our argument still holds good ; for the question is one of degrees. England is better governed than France, and France than Turkey ; but may not the political institutions of England be yet vastly improved ? We think they may, and, therefore, do we advocate the principles of radicalism, deduced from, and founded upon, the precepts of the Gospel. Every individual is taught from his infancy to regulate his conduct by this divine standard of right and wrong ; but inconsistently enough, the nation, as a whole, represented by its delegates in the houses of parliament, pay not the least attention to the rules and commands which each individual admits to be binding on himself and his neighbour. Among the household phrases of our parliamentary orators, we are eternally reminded of the just splendour and prerogative of the crown, the privilege of the peers, and the rights of the commons ; but when did a whig or tory statesman ever assert the paramount authority of the Scriptures, as the criterion and guide of human legislation ! They learnedly appeal to Puffendorf or Vattel, but forget the Book of Life ! They are eloquent on the faith of treaties, but are silent on the faith of Christianity ! Their patriotism is fired by Magna Charta or the Bill of Rights ; but the Great Statute, bequeathed as an eternal legacy to the whole human race, is forgotten and lost sight of in the jargon of protocols and the mazes of diplomacy !

It is not surprising that radicalism is abhorred by the aristocracy, for their polar stars are avarice and ambition ; and though the outward semblance of religion, and the observance of its external ceremonies suit their purposes, yet an honest and literal obedience to its mandates, militates against their interest, and interferes with their pleasures. Radicalism also expects the decided hostility of the practitioners of the law, for its right-angled integrity and high-mindedness cannot sympathize with the finesse and heartlessness of that cyclops of humanity, called an "attorney." Radicalism is prepared for the enmity of wealth, for it pays no homage to any modern Cræsus ; and it must be excluded from circles of fashion, for it would suffer degradation, and lose its self-esteem, were it weak enough to associate with this useless and unhappy section of mankind. But it really is astonishing that the vast majority of the

clergy should oppose the progress of radicalism, which is the natural ally of the church, not from mercenary motives, but from principle, since the radicals desire to see practised the very doctrines which the clergy are sworn to preach. The radical cares not a straw for lords or squires, but he would maintain a resident teacher of the Gospel in every village, that the poor might at least have one friend and adviser within the circuit of a few miles throughout every district of the country. The radical even does not object to the phrase, "church and state," if it were received in a spiritual sense, to the effect that the law of the land should be built upon, and interwoven with, the law of the Gospel; but he certainly does revolt against its current temporal interpretation.

In conclusion, we ask politicians of every grade, be they whig, tory, or conservative, if it be honest, or liberal, aye even gentlemanly, to denounce a professing radical as a destructive: at least, he can account for his political creed,—he can explain the foundation on which it rests, and the principles by which it is governed. Can any one of his opponents act as openly and as fairly? Can any one of them affix a definite and intelligible idea to the word he employs as expressive of his opinions? We fearlessly answer, No: each must flounder about in the eddies and currents of expediency, till he finds a momentary rest on the shifting sands of error; but the true radical takes the light of the Gospel for his polar star, and pursues his course, through good report and evil report, trusting the safety of his little bark to HIM "who holds the waters of the great deep in the hollow of his hand."

STANZAS ON THE LATE POLISH INSURRECTION.

Es sey mein Herz und Blut geweiht,
Dich, Vaterland, zu retten.
Wohlan, es gilt, du seyst befreit;
Wir sprengen deine Ketten
Nicht fürder soll die arge That,
Des Fremdlings Uebermuth, Verrath,
In deinem Schoss sich betten.

F. SCHLÖSSL.

LAND of brave hearts, too long, alas! too long
Hath the fierce eagle on thy children preyed,
Goring with talons merciless as strong,
Freedom's fair breast, till to a shade
Her form seems dwindled; but still unallayed
Is her bright spirit's everlasting fire!
And, hark! her summons loud and undismayed
Commands her suffering sons with noble ire,
To spurn their despot's sway, or gloriously expire.
She is obeyed!—Her nation stands in war!
Sarmatia beards the tyrant Muscovite!
Mars in dire panoply ascends his car,
And Freedom's bands oppose the despot's might!
Be thou, just Heaven, propitious to the right!
Preserve from chains men worthy to be free,
But on their foes and thine let vengeance light!
For surely they are foes to men and thee,
Who, slaves themselves, wage endless war with liberty.

Shall then the ruthless tyrant ever hold
 The noble powers of god-like man in awe?
 Shall—though our minds new stores each day unfold—
 The will of *one* to millions be a law!
 Will nations *still* rest in the lion's jaw?
 Shall myriads toil and peril life, to feed
 Rapacious tyranny, whose fangs will gnaw
 Its fettered victims till they, writhing, bleed?
 And shall mankind then ne'er be from this monster freed?
 Forbid it Heaven!—Triumphant in the van
 Of Freedom's champions Gallia's sons appear,
 Their clarions sounding "Liberty to Man."
 Next Belgia's carol bursts upon the ear,
 Whilst her victorious bands exulting rear
 Their crimson banners to the light blue sky.—
 Sarmatia's sons the glorious tidings hear;—
 "Freedom or Death!" with thrilling voice they cry,
 And, rushing to the strife, achieve the victory.
 The Vistula is red with Russian gore,
 Varsovia's freed from her enslaving foe;
 Her yoke is crushed—she forms her country's core,
 And patriot breasts with dauntless valour glow
 Within and round her walls:—"Our blood may flow,"
 They nobly cry, "wild hordes our homes may raze,
 "Rapine and slaughter lay our dearest low,—
 "But, whilst a Pole his free-born arm can raise,
 "No tyrant pow'r shall quench proud Freedom's beacon blaze."
 Enthroned amidst his capital of slaves,
 Th'imperious Czar, with fury in his eyes,
 Learns that wronged Poland, wrought to vengeance, braves
 His recreant serfs, and in their bosom dyes
 Her flashing swords.—"To arms!" the despot cries.—
 His crouching minions hear his stern commands,
 And yells of glad subservience rend the skies;—
 A host, for slaughter panting, ready stands,
 And fierce, malignant chiefs lead on the blood-hound bands.
 Rise, sons of Poland, be your country's shield!
 The despot pours his legions o'er your plains;
 Let sire and son the sword of vengeance wield,
 And draw their freedom from their tyrant's veins!—
 Hark! the dire strife begins;—the Eagle stains,
 With his own blood, the basely plundered nest:—
 Lo! roused Sarmatia's vengeful shaft restrains
 His skyward flight—he sinks with fallen crest,
 And Poland's freedom issues from his bleeding breast.
 With ghastly grin, and gore distilling locks,
 Grim carnage stalks where foe with foe contends,
 Where, like the stunning din of falling rocks,
 The cannon's roar its thundering tumult blends
 With the loud crash of toppling piles, which rends
 The flaming heavens, whilst agonised and wild,
 The shriek of helplessness in vain ascends;
 The mother's shriek, whilst butchered with her child,
 The gasping shriek of innocence by fiends defiled.
 Will then ambition never cease to feed
 Fierce hell-descended war with human gore?
 Shall wealth and honors be the constant meed
 Of those who carry death from shore to shore?
 Who move in gushing blood, yet thirst for more;—
 Who marshal men 'gainst men in deadly rage,
 And stab the hopes of nations to the core,—
 To earn the curses of some better age,
 And graft their crimes on history's blood-emblazoned page.

O lion-hearted England, halcyon Isle !
 May war ne'er revel in thy lovely vales :
 Let freedom's cause be thine, O rest not while
 Devoted Poland bleeds ; her heroes' wails
 Are borne to thee :—then rise ! unfurl thy sails !
 Let Russia feel that Britain is her foe,
 That when the Lion roars the Eagle quails !
 Then from the Vistula turn thy laurelled prow,
 And bid thy pennon flout the despots of the Po.

J. D. PIERCEY.

THE PRINCE OF CONDÉ.

LEWIS DE BOURBON, the second of that name, was born at Paris, Sept. 7, 1621. He was styled duke d'Enguien, till he succeeded to the title of prince of Condé, by his father's death, in 1646. As he was of a tender and delicate constitution, the prince sent him to the castle of Montrond, in Berry, that he might breathe a more pure and salutary air. Instead of trusting his first education to women of quality, he chose some citizens' wives, experienced, prudent, and attentive ; the success was answerable to his hopes, and the young duke by degrees gained strength. When he was of a proper age, the prince reserved to himself the arduous task of governor : he only appointed for his assistant, not a man of quality, but M. de la Boussières, a private gentleman, a man of honour, fidelity, and great good-nature, and who made it a rule to observe inviolably the orders that were given him. He also gave him for preceptors two Jesuits, who were distinguished by their genius and their knowledge. He formed him a household of fifteen or twenty officers or domestics, all men of the greatest virtue and discretion, because he would have every thing that approached the duke, instead of flattering and corrupting him ; inspire him with the love of virtue and of glory. And in order to excite his son's emulation, some young gentlemen were educated with him, on whom the same attention was bestowed, and who were to yield to him in nothing. With these attendants, the duke d'Enguien went to settle at Bourges, where he frequented the colleges of Jesuits. But his studies were not confined to the course that was usually pursued there. He was taught ancient and modern history, the mathematics, geography, declamations : he was inured to bodily exercises, to riding and dancing, in which he excelled. He made such a surprising progress, that, before the age of thirteen, he defended in public some questions in philosophy, with an incredible applause. At his return from Montrond, the young duke had for his tutor, M. de Merille, a man deeply versed in the knowledge of the common law, of ancient and modern jurisprudence, of the holy scriptures, and of the mathematics. Under his direction, the duke went through that new course with prodigious success. He acquired a critical taste in the arts and sciences, which he retained all his life ; he never suffered a day to pass without dedicating two or three hours, at least, to reading ; his thirst for knowledge was universal, and he endeavoured to search every thing to the bottom. As soon as the prince, his father, thought proper to bring him to court, he was immediately the object of general attention. He distinguished himself at the Hotel de Rambouillet, which was then the school of the French nobility, and his reputation was so increased in that literary democracy, that he was esteemed the arbiter of taste.

But whatever pleasure he tasted in his connection with the muses, his courage called him away; he devoured such books as treated on the art military, and he incessantly interrogated officers, in order to avail himself of their knowledge.

He earnestly solicited and obtained, at the age of eighteen, permission to make his first campaign as a volunteer in the army, commanded by marshal de la Meilleraye. This campaign was unfortunate, and the duke d'Eguen was only a witness of the marshal's imprudence and disgrace. Nevertheless, in this campaign he laid the foundation of that renown, which made him afterwards considered as the greatest general of his age. The duke, at his return to Paris, went to visit cardinal Richelieu, at Ruel. That minister, who was curious to know from his own mouth whether fame had not exaggerated in her account of this young prince, conversed with him for two hours on the most abstruse and difficult subjects, and could not forbear saying to M. de Chavigni, as soon as the duke was gone, "I have just had two hours conversation with the duke on religion, war, politics, the interest of princes, the government of a state; he will certainly be the greatest general in Europe, and the first man of his age, and perhaps of future ages, in all things."

Richelieu, full of ambition, made overtures to unite his blood with that of this prince, whom he admired. The duke acquiesced in this project, out of obedience to the prince, his father; and he espoused in 1641, though with reluctance, Claire Clemence de Maillé Brezé, the cardinal's niece. The force that he put upon himself in order to consent to this marriage, threw him into a fit of illness; it was long before he was out of danger, but at length he recovered, and his constitution grew so strong, as afterwards to support with ease the greatest fatigues. He made two more campaigns as a volunteer, the one under marshal de la Mielleraye, the other in the army of Lewis the Thirteenth, which conquered Roussillon. But, in 1643, at the age of twenty-two, he obtained from the king, at the persuasion of cardinal Mazarin, the command of the army destined to cover Champagne and Picardy; a command that was confirmed to him after the king's death by the queen regent, Anne of Austria, to whose interest he was strongly devoted.

Without following this hero in all his campaigns, and describing all his exploits, his sieges, and his battles, it may be sufficient to say, that the duke d'Enguien, who had never yet been present at any battle, gave a specimen of his abilities, by an attempt that crowned him with glory. The Spaniards, who threatened France with an invasion, were defeated by him at Recroi, and this signal victory made him, from that time, considered as the guardian genius of his country.

This defeat of the Spaniards had exhausted all their strength, and enabled the duke to undertake whatever he pleased. He formed the project, bold as it was, of besieging Theonville, and proposed it to the council of regency, who were amazed at it, as they saw it attended with too many obstacles, and they consented to it, not without fear and distrust; but he carried it into execution with such skill, activity, and courage, that he was justly the subject of general admiration. After two months' siege, Theonville capitulated and surrendered. At length, after having covered Alsace and Lorraine from the enterprises of the imperialists, he came to Paris, to receive the rewards of his triumphs, and obtained the government of Champagne, and the city of Stenai.

The three following years were little more than a series of military operations. The three battles of Fribourg, in which the duke d'Enguien triumphed over Velt marshal count de Mercy, the greatest general in all Germany, the taking of Philipsbourg and a great number of other places, rendered him master of the Palatinate, and of the whole course of the Rhine. The victory of Nortlingue, by which he revenged the viscount of Turenne's defeat at Mariendal; the siege and conquest of Dunkirk; the good and bad success of his arms in Catalonia, where, though he was forced to raise the siege of Lerida, he kept the Spaniards in awe, and cut to pieces their rear guard:—these are the principal events which distinguished the campaigns of 1644, 1645, and 1646.

The victories of the duke d'Enguien, his great reputation, and his esteem with the people, began to give umbrage to Mazarin. Hitherto full of respect for the princes of the blood, and of regard for the nobility, indefatigable in business, attentive only to the glory and happiness of the state; condemning, by his moderation, the pride, arrogance, and cruelty of his predecessor, whose memory the parliament were desirous to brand, this minister had shown himself worthy of the high station he filled. He only displayed his virtues, his talents, and his accomplishments; unknown were his insatiable avarice, and his contempt for probity and virtue; unknown were his habitual ingratitude, his weakness, his constant propensity to deceive, and his profound ignorance of legislation and of the constitution of the state. In proportion as his authority was established, his faults were seen. The death of the duke de Brezé, admiral of France, made him discover his ingratitude to the prince of Condé, and the duke d'Enguien. The prince earnestly demanded for his son the duke de Brezé's places; but Mazarin, afraid of increasing the wealth and power of a prince, whose victories, and the love and confidence of the people and the army, had already rendered too formidable to him, had the address to elude a compliance with his request, by persuading the queen to take the admiralty herself. The prince was the more incensed at the cardinal, as by this device he appropriated to himself the duties and revenues of that important office. Mazarin only gave him promises, which he soon found were frivolous and deceitful.

The minister's dislike to the duke d'Enguien, now, by his father's death, become prince of Condé, was still much more apparent, when, by Mazarin's persuasion, he had accepted the command of the army in Catalonia.

On his arrival at Barcelona, the prince found there neither troops, nor money, nor artillery, nor ammunition, nor provisions. Grieving to see himself so grossly deceived by the minister who had promised him mountains and wonders, he vented his resentment in bitter complaints and severe threats; but he was by no means wanting to himself, and by the resources that he found, he added a new lustre to his glory.

When the prince made his public entry into Barcelona, the negligence of his dress formed a striking contrast to the splendour that was displayed by the principal officers of his army, who accompanied him, and who were all magnificently dressed and mounted. He was still in deep mourning for his father, a suit of black, his long lank hair, and his extreme youth, amazed some of the citizens, who said aloud, that a student was sent them for their viceroy. These words did not escape

the prince; convinced that the eyes of the multitude must sometimes be dazzled by an outward pomp, he ordered a superb carousal, where he appeared in a habit covered with pearls, and mounted on a horse most sumptuously accoutred.

The Catalonians immediately owned, that, "if Condé had the soul and the genius, no one also had more the air and the countenance, of a hero."

The love of glory was not the only passion of which this hero was susceptible. He was scarce married, when he was struck with the charms of Mademoiselle du Vigan, who, with great beauty, had the most alluring accomplishments, and an improved and polished mind. His passion carried him to such lengths, that he formed a scheme, of having his marriage with Mademoiselle de Brezé dissolved, under a pretence that it was contracted by compulsion. The princess, his mother, readily came into this project, either from her hatred to the memory of Richelieu, or in order to preserve her credit with her son. But the prince, to whom this secret was discovered by the duchess of Longueville, baffled their scheme. Nevertheless, the duke d'Enguien retained his passion for his mistress, till the disorder under which he languished after the battle of Nortlingue. Then his love immediately vanished with the prodigious quantity of blood that was taken from him. This revolution was so complete, that, after his recovery, he scarce retained a slight remembrance of the object that he had loved to excess. Mademoiselle du Vigan was so sensible of this alteration in the prince, that it was thought she would have died of grief, and she went and shut herself up among the Carmelites. This hero suffered himself again to be ensnared by the charms of Mademoiselle de Toucy: but this was no more than a transient amour, and soon passed over.

France had never attained such a height of glory, power, and grandeur, since the time of Charlemagne. A long series of triumphs had made her respected by her allies, and formidable to the emperor Ferdinand the Third, who begged a peace, and enabled her to give law to conquered Spain. But, amidst this torrent of prosperity, the kingdom was threatened with the most dangerous revolutions; its misery was equal to its glory. Henry the Fourth, a model for kings, was wholly engrossed by the public felicity; the wise administration which he had introduced, had delivered the state from an abyss of misfortunes, and promised her the happiest days; but these hopes soon vanished under a weak regency which gave an inlet to boldness, factions, and civil wars, which it knew not how to suppress; and the distresses of the kingdom were carried to the utmost height, by the ill use which Richelieu made of his power. This proud and cruel minister subverted all the forms of justice, and of the finances; he increased prodigiously the revenues of the crown by loading the subjects with taxes; he did everything for the king, and nothing for the nation, which groaned in servitude and misery. His despotic administration was so odious, that at his death there was a great party at court for condemning his memory as that of a public enemy. The queen regent, Anne of Austria, prevented this. From that princess, then adored, the nation expected relief, and a reformation of abuses.

She had really all the good qualities necessary to render a people happy. To the charms of person, she added a noble, generous, and

sensible mind ; her constancy was equal to her firmness ; invariable in her private conduct ; unmoved both in prosperity and adversity ; faithful to her promises ; slow to believe evil, ready to pardon it ; full of equity and humanity, no one had more dignity of manners, more candour, and frankness of character ; she would have rendered the throne adorable if she had had resolution enough to have governed herself. But indolence, which then seemed natural to every branch of Spanish Austria, a diffidence of her own strength, and an extravagant modesty, prevented her from incumbering herself with a burden, which her virtues, and the love of the people, would have rendered lighter to her. In consequence of this, she gave herself up, without reserve, to those who had gained her esteem and confidence. She adopted their passions, their prejudices, their interests, so as scarce to make any use of her power, but in their favour. She submitted to be so dependant on Mazarin, that she deprived herself of the only advantage which a great mind knows on a throne, that of making others happy. She provoked the hatred and contempt of the public, affronts, and civil wars, to support the choice she had made of that minister, disclaimed and reproached as he was by the nation. This extreme warmth was a long time prejudicial to her reputation ; and some pretended to entertain suspicions of her virtue.

But she had the happiness, before she died, to unite all voices in her favour. To this queen the nation owes the glory of being thought the most polite, and the most sociable in the world. She introduced at court, where she acted with as much majesty as grace, that noble, true, easy, delicate, gallant ton, which constitutes the soul and delight of society ; and, which, being communicated to the capital, and to the great cities in the provinces, made France the most agreeable residence in the universe.

To this portrait of Anne of Austria, we cannot help adding that of cardinal Mazarin, as a clue to all the events is found, by knowing the characters of the principal persons that appear on the stage. Julius Mazarini had a noble and majestic figure, an open and insinuating manner, a gracefulness and sweetness in his temper ; he was supple, sly, cunning, full of gaiety, and intrigue, with a quick sensibility of pleasure ; no one possessed more than he, the happy heart of pleasing ; but he only employed it to deceive. The most oblique and indirect methods were those that he preferred for the accomplishment of his designs, and were most suitable to his faithless and hypocritical character. Alike insensible of injuries and of favour, he knew not how to punish or to reward, or to encourage genius and talents ; favours the best deserved, were only forced from him by threats, or by working on his fears.

The characteristics of this administration were cunning, distrust, patience, timidity, and forecast ; however, this famous man, who seemed almost always to wait for a happy turn of affairs, from time and circumstances, sometimes displayed resolution, intrepidity, and a contempt of death. If the qualities of his heart had been answerable to those of his mind ; if he had more studied the genius, the manners, and the laws of the nation he was to govern ; if he had had more respect for religion, virtue, talents, and good faith ; if he had not endeavoured to corrupt the great by the allurements of pleasure ; to soften, subdue, and ruin them by luxury ; if, at length, after innumerable troubles and dangers,

arrived at the utmost height of power and grandeur, he had thought that he had other duties to discharge, besides those of accumulating treasures upon treasures, he would now have been deemed as great as he was fortunate.

Mazarin, who had not the least knowledge of interior administration, gave himself entirely to Particelli d'Hemeri, an Italian, like himself, and the most corrupt man in Europe. He made him superintendent of the finances; and this wretch, who, it is said, had in his youth been condemned to be hanged at Lyons, answered the designs of the minister, with as much address as wickedness. He not only gratified his own debaucheries, and his luxury, which he carried to the most enormous excess; he not only satisfied the most insatiable avarice of Mazarin, but farther, the revenues of the state, which amounted, at the death of Richelieu, to about eighty millions, d'Hemeri raised to a hundred and forty-three. Add to this, the considerable loans for which the king paid exorbitant interest, the rigorous exactions that reduced a multitude of citizens to the utmost misery; the cruelty, in short, of the superintendent, who neither paid the expenses of the king's household, nor the rents of the town house, nor the pensions, nor the troops; and it is no wonder that bitter complaints against the minister, and the odious instrument of his wickedness, were sent to court from all parts.

The public indignation was chiefly inflamed by the reports that were spread, that Mazarin had refused to make peace with the Spaniards, who offered to cede to France all her conquests; these reports were well founded, and nothing more was wanting to plunge in despair all those who no longer saw an end of their misfortunes. The nobles, the parliament of Paris, the clergy themselves, the capital, and the provinces, exclaimed all at once; Mazarin, sure of the duke of Orleans, and the prince of Condé, despised these murmurs, considering them as impotent; but scarce had the parliament pronounced the two celebrated *arrêts* of union with all the parliaments, and the other supreme tribunals of the kingdom, than the fortitude of Mazarin forsook him. He applauded the parliament, and, above all, he sacrificed his hateful favourite, the superintendent, who was stripped of his employments, banished, and confined to his estate. So much weakness excited contempt and suspicion. The parliament engaged to reform all abuses, and took the power into their own hands. The queen and the ministers opposed such extravagant pretensions; a general confusion ensued. The prince, in a concert with the duke of Orleans, did all that could be expected from his zeal to stop the evil at its source; but men's minds were too much exasperated to concur in pacific measures. However, the campaign drew nigh; we must, therefore, leave these affairs in a certain crisis.

The campaign of 1648 was as glorious to Condé as those which preceded it. To disconcert at once the projects of the archduke Leopold, he resolved to attack him even in the heart of the low countries; and, notwithstanding the difficulties which he had to surmount or to avoid, in order to arrive at Ypres, and to invest it, in spite of the archduke, who was at hand to relieve it, he besieged that important place, and took it, in sight of all the enemy's forces.

Notwithstanding this success, Condé saw himself at the point of experiencing the greatest reverse of fortune. This army was a prey to scarcity, to contagious distemper, to nakedness, and to desertion. For

eight months it received no supplies from the minister, but half a master. But the prince himself supplied every thing; he lavished his money, and he borrowed more, to preserve his troops.

When it was represented to him that he was in danger of ruining himself by such an enormous expense, he replied, that "since he ever ventured his life for the service of the country, he could very well sacrifice his fortune to it; let but the government exist," added he, "and I shall want nothing."

The French army having been reinforced by 4,000 of the troops of Weimar, Condé attacked the Spaniards advantageously encamped near Lens, and gained a complete victory over them, which disabled them attempting any thing more, and even from supporting themselves.

Afterwards he besieged Furnes, the garrison of which, 500 men, surrendered themselves prisoners of war.

But the prince was wounded there in the trenches, by a musket shot, above the right hip, and the contusion that he received was so great, that it was necessary to have recourse to considerable incisions.

The court, animated by the victory of Lens, thought that it was now time to execute its vengeance against the faction; and, accordingly, imprisoned Broussel and Blancmenil, two of the principal leaders of the country party. It was mistaken; this vigorous proceeding, on the contrary, occasioned a general revolt. All Paris took arms, barricaded the streets, invested the Palais Royal, and demanded the prisoners: it was necessary to release them; but from that time the regal authority was annihilated; the queen was exposed to a thousand insults, and Mazarin dared no longer venture out of the Palais Royal, fearing to meet with the same fate as his countryman, the marshal d'Ancre. In this embarrassment the queen recalled the prince of Condé, as the only one from whom she could hope for some support. He went to Ruel, whither the regent had retired with the young king and Mazarin.

Anne of Austria proposed to him the reducing Paris by force of arms, but he calmed the resentment of that princess, and, instead of being accessory to her vengeance, he directed all his views to pacify the kingdom, and he brought about an accommodation between the parties, who desired it with equal ardour. But new incidents soon rekindled the flames of civil discord. The treachery of Mazarin, and the artifices of the leaders of the country party, occasioned new cabals and fresh troubles.

Condé, hitherto impartial, and undetermined as to what party he should take, listened by turns to the proposals of the court and of the country; but at length, prevailed on by his favourite, the duke of Chatillon, by the tears of the queen, by the humiliations of the cardinal, and above all, enraged at the arrogance of the malcontents, who every day formed new pretensions, he took part openly with the court, though he thought it ungrateful, and protected the minister, though he esteemed him not.

The royal family, the duke of Orleans, Condé, and Mazarin, left Paris privately, in the night between the 5th and 6th January, 1649, and went to St. Germain. The parliament sent deputies to learn from the queen herself the reasons of her departure, and to beg her to name the citizens whom she suspected, that they might be tried: Mazarin had the imprudence to dismiss them without an answer. Nothing more was

wanting to exasperate men's minds, and to hurry them to the last extremities. All took arms to defend themselves against the enterprizes of the court, who had determined to block up, and to starve the capital, in order to suppress the party of the malcontents. With seven or eight thousand men, the broken relics of the last campaign, the prince of Condé formed the project of reducing about five hundred thousand, intrenched behind walls. He had neither money, nor magazines; he saw himself in the depth of a severe winter; he had doubtless the utmost reason to believe that he should miscarry; nevertheless, he triumphed over Paris, and this great success completed his glory. It did him so much the more honour, as during the siege he constantly defeated the troops of the malcontents: he prevailed on the army that marched to their assistance, under the command of Turenne, to abandon that general; he stopped the progress of the duke of Longueville, who had caused an insurrection in Normandy; and got the start of the Spaniards, who were advancing to give them battle.

Condi de Retz, coadjutor of Paris, and afterwards cardinal, was the soul of the revolvers, and directed all their motions. As he acted a principal part, we shall slightly sketch the outlines of his character. This extraordinary man had taken Cataline for his model, and was equally daring, intriguing, fruitful in expedients and in resources; intrepid, capable of the greatest actions of an exalted genius, but governed by ambition. He distinguished his hatred to Mazarin, by arming the malcontents; and he himself raised, at his own expense, a regiment, which he called the regiment of Corinth; as soon as ever this corps took the field, during the blockade of Paris, it was defeated and dispersed. This check was called the *first to the Corinthians*.

The peace was signed at St. Germain; neither of the parties carried its point. The queen, who was desirous to crush the country party, had not the pleasure of being avenged on it; and that party, which took arms only to destroy Mazarin, could not accomplish his exclusion from the ministry. Scarce any one but Condé acquired glory and power in this war.

While the queen, guided by her resentment, went to Compiègne, and Mazarin dared not appear again at Paris, the prince of Condé repaired to that capital, and traversed all the streets in his coach alone. All persons of any consequence paid him their compliments, and the parliament sent him a solemn deputation to thank him for the peace, to which he had so powerfully contributed.

Nevertheless, the people made loud complaints of the absence of the king and the court; and the malcontents gave reason to apprehend a new insurrection. The queen and Mazarin were afraid to face so many enemies. Condé encouraged them, and brought them to Paris, amidst the acclamations and blessings of the public. The important service which Condé had just done the court, entitled him to the acknowledgments of the queen, and especially of Mazarin; but the dark soul of that cardinal only remembered it to punish a too fortunate and too powerful protector: he privately swore his destruction, at least that he should give the whole kingdom a pattern of submission and dependence on his will. However, not to excite the public indignation, he still kept up appearances with the prince, while he secretly spread about him disgusts, suspicions, snares of every kind, and the most heinous calum-

nies. The various annalists of those days copiously describe the intrigues, tricks, artifices, and strokes of malice, which distinguished the politics of Mazarin, in order to crush all parties, one after the other, to destroy the prince of Condé, and re-establish his own personal authority on the ruins of all the factions.

The ungrateful minister deceived the prince, by making him the most flattering proposals, and the most alluring promises, which he afterwards found means to evade. The enraged Condé now despised the cardinal, and treated him with disdain. After this, they were reconciled again, only again to be at variance. Each of them, in turn, courted the country party, in order to make it subservient to their designs. Mazarin, ever cunning and deceitful, that he might render the prince and that party irreconcilable, thought of an expedient which answered his purpose too well. There was among the malcontents a Marquis de la Boulaie, a man of infamous character, who had obtained the confidence of the party, by false appearances of hatred to the cardinal, but, who secretly kept up a correspondence with him. It is pretended, that he offered to assassinate Condé, without its being known who gave the blow. Mazarin was charmed with this proposal; but he only required Boulaie to exhibit the proofs of an intended assassination, and to act in such a manner that every thing might concur to render the country party suspected of the crime. He was punctually obeyed; the prince's coach was stopped; some pistols were fired at it, by which two of the footmen were dangerously wounded; and, after that shameful exploit, Boulaie took refuge in the hotel of the duke de Beaufort, who was the hero of the party, in order, no doubt, to countenance the prince's suspicions of the malcontents. Luckily, Condé was not in the coach when it was stopped; the cardinal had spread the report of the projected assassination; and, in concert with the queen and the prince, he had prevailed on the coach being sent empty, to prove the reality of the attempt. Mazarin counterfeited a zeal for the prince's life; he furiously declared against the malcontents, who, he pretended, had made an attempt on a life so precious to the state; and he inflamed Condé's resentment against the duke of Beaufort, and the coadjutor, whom he supposed to be the authors of this heinous outrage. The prince, strongly prejudiced against them, refused to hear them, when they appeared before him to justify themselves. He demanded justice of the king, formally accusing them before the parliament, and remaining inflexible, in spite of the pains which the leaders of the party took to demonstrate to him that he had been imposed upon. However, the affair was brought before the parliament, the accused defended themselves, and the coadjutor, who had discovered the cardinal's secret, unmasked him so well, that the prince agreed to a private negociation with the malcontents, which Chavigny began; he required nothing more than the coadjutor's leaving Paris, but with the rank of ambassador to Rome or Vienna. That prelate would have consented to it to satisfy Condé, if Mazarin, some days afterwards, had not given him the choice of any recompense, in order to engage his concurrence in the prince's destruction. Affairs were now in such dangerous confusion, that the cardinal saw clearly that it was necessary to hasten to the winding up of the plot. Master of the queen's soul, which he guided as he pleased, sure of having inflamed against Condé all the resentment of the malcon-

tents, he sought and obtained, by means of the duchess of Chevreuse, the support of that powerful faction, which connected itself with him the more readily, in hopes that the prince's fall would enable it to crush without difficulty the cardinal, hated and despised as he was by the people, and as he constantly created new enemies by his injustice and deceit. The coadjutor had private conferences with the queen and the minister. Condé had notice of it; and, in order to discover if it were true, he endeavoured to surprise it from Mazarin's own mouth. "Cardinal," said he one day, "it is publicly reported that you have nightly meetings with the coadjutor, disguised as a trooper." He accompanied this speech with a quick and penetrating look; but Mazarin, the best actor in the world, answered him without being disconcerted, "It would be a most whimsical masquerade, indeed, to see the coadjutor, with his crooked person and bandy legs, in scarlet breeches, a hat covered with feathers, and a sword by his side; if he ever should have a fancy to disguise himself after that fashion, I promise your highness I will procure you a sight of him." The cardinal's free, pleasant, and artless look removed the prince's apprehensions, and he slighted the information he received of the plot forming against him.

Mazarin now wanted nothing but the support of the duke of Orleans; he found means, by the duchess of Chevreuse, to inflame the jealousy of that fickle and inconstant prince,—the constant support of the caprices and passions of others,—and to engage him to consent to the imprisonment of Condé. Having thus united all parties, and fearing no other obstacle, this ungrateful and perfidious minister made preparations for privately arresting the prince: the order for it was signed January the 18th, 1650. Condé having that day repaired as usual to the Palais Royal, to assist at a council with the prince of Conti, and the duke of Longueville, the queen gave orders to arrest them all three, and to convey them without noise to the castle of Vincennes. She was instantly obeyed, and the princes were strictly guarded in that prison.

If adversity displays men's characters in their true light, it must be owned that Condé appeared no less great at Vincennes than at the head of armies; no one ever supported such an unexpected and grievous reverse of fortune with more fortitude and greatness of mind. Confined with the two other princes at the tower of Vincennes, in a large chamber, where neither supper, nor furniture, nor beds were provided, to avoid raising suspicion or alarms, he contented himself with a couple of eggs, and threw himself in his clothes on a truss of straw, where he slept twelve hours without waking. He still retained his cheerfulness; he dedicated the greatest part of his time to reading, the rest to conversation, to playing at battledore and shuttlecock for exercise, and the cultivation of flowers; he consoled his companions in disgrace by the sallies with which his gaiety inspired them. One day, the prince of Conti desiring to borrow of a gentleman, who came to comfort him, the *Imitation of Jesus Christ*, to beguile the tediousness of his prison, "For my part," said Condé, "I only desire the imitation of the duke de Beaufort, to deliver me from hence, as he did two years ago." "What shall we play at," whispered he to the son of M. de Bar, his rough jailor? "Let us play at the baton of Marshal of France." The young man did

not know what these emphatical words meant. The princes were shortly removed to Marcaussi and from thence to Havre de Grâce.*

Mazarin triumphed at the disgrace of the princes. He proscribed all who were attached to Condé; he deprived that prince of all his revenues; he surveyed all the provinces and towns that belonged to him, or of which he had been governor, and subdued them by force, or by the weight of the royal authority. He also removed Conti and Longueville from their governments. At his return to Paris, he derided the friends of Condé, to whom he had promised that prince's liberty, and the coadjutor, whom he had promised to raise to the rank of a cardinal; thinking himself superior to every storm, he threatened the malcontents with imprisonment; and despised the hatred and clamours of the public.

However, the friends of the prince of Condé were not asleep. In spite of the Argus eyes of the secret police, they found means to keep up a punctual correspondence with him; they made various attempts to release him; they raised troops, particularly the dukes of Bouillon and Rochefoucault, and the viscount de Turenne. The princess of Condé engaged the province of Guienne to declare in his favour; she made open war to force the court to release him: at length, the partisans of the prince signed a treaty with the Spaniards to labour in concert for his enlargement. But all these efforts would have perhaps proved ineffectual, if other more powerful resources had not been employed.

In that gallant and warlike age, every thing was managed by the passions and intrigues of five or six women, who possessed the confidence of the leaders of the state, or of the various parties. The princess of Mantua, wife to one of the sons of the elector Palatine, king of Bohemia, was the soul of the councils in the interests of the princes. She united the talents which the art of negotiation requires, and all the probity necessary to deserve an entire confidence. She undertook and she accomplished the reconciliation of the duke of Orleans, the coadjutor and the malcontents, with the friends of the prince, and united their efforts against the cardinal. The parliament also loudly demanded the release of the prisoners. All the orders of the state united in soliciting it, and the queen was at last prevailed on to give her consent.

At this news, Mazarin, amazed, confounded, betrayed by the duchess of Chevreuse, abandoned by almost all those on whom he most depended, abandoned also himself: he made his escape for the fourth time disguised as a trooper, and arrived at the gate of Richelieu, where a body of horse waited for him. The parliament, informed by the queen of the cardinal's escape, thundered forth an *arrêt*, by which he was enjoined to leave the kingdom, with his family and foreign servants, in the space of fifteen days, under the penalty of being exposed to a criminal prosecution. The queen desired to follow him with the young king; but the nobles and the burghers invested the Palais Royal, and prevented the execution of this project, which would have kindled a civil war.

* On the road, Condé now and then desired his guards to fall back, that he might observe at his leisure the count of Harcourt, who had orders to conduct him to Havre, and who was become the object of his jokes: he made this stanza upon him which was sung all over France:

Cet homme gros et court,
Si connu dans l'histoire,
Le grand Comte d'Harcourt
Tout couronné de gloire,
Qui secourut Casal, et qui reprit Turin,
Est maintenant Recors de Jules Mazarin.

This fat and short hero,
So famous in story,
The great Count of Harcourt
All covered with glory,
Who succoured Casal, and who retook Turin,
Is now the bumbailiff of Jules Mazarin.

Mazarin now perceiving that it was impossible for the queen to join him, determined to go himself to restore the princes to liberty, and to get the start of the deputies, who were coming to acquaint them with it. On his arrival at Havre, he informed the princes they were free; he entreated Condé's friendship; he was even so abject as to prostrate himself at the feet of the man whom he had so basely oppressed. Condé gave him a polite reception; he spoke to him in a free and cheerful tone; but, tired with the mean submissions which the cardinal lavished upon him, he left him without making him any promise, and set out on his return to Paris, which he entered, as it were in triumph, amidst the acclamations of all the orders of the monarchy, and the warmest demonstrations of a most sincere and general joy.

ARABIAN GRATITUDE.

A Tale of Damascus.

ALI-IBN-ABBAS, favourite of the caliph Mamoun, and lieutenant of police in the reign of that prince, relates, in these terms, a story that happened to himself.

"I was one evening with the caliph, when a man, bound hand and foot, was brought in. Mamoun ordered me to keep a watchful eye over the prisoner, and to bring him up on the following day. The caliph seemed greatly irritated; and the fear of exposing myself to his resentment induced me to confine the captive in my harem, as the most secure place in my house.

"I asked him what country he was of. He said, Damascus; and that his habitation was in the quarter of the great mosque.—May Heaven, cried I, shower down the choicest blessings on the city of Damascus, and particularly upon the quarter where you resided!—He was solicitous to know the motive that so much interested me for that district. It is, said I, that I owe my life to a man who lived there.

"These words excited his curiosity, and he conjured me to gratify it. It is many years since, continued I, that the caliph, dissatisfied with the viceroy of Damascus, deposed him. I accompanied the person whom the prince had appointed his successor; and at the instant we were taking possession of the palace, a quarrel broke out between the old and new governor: the former had posted soldiers who assaulted us; I escaped out of a window, and finding myself pursued by other assassins, took shelter in your quarter. I observed a palace open, and seeing the master at the door, supplicated him to save my life. He immediately conducted me into the apartment of the women, where I continued a month in peace and plenty.

"My host came one day to inform me, that a caravan was setting out for Bagdad; and that, if I wished to return to my own home, I could not avail myself of a more favourable opportunity. Shame held my tongue, and I had not courage to confess my poverty. I had no money, and for want of that should be forced to follow the caravan on foot. But how great was my surprise, when, on the day of departure, a very fine horse was brought me, a mule laden with all sorts of provisions, and a black slave to attend me on the road. My generous host presented me at the same time with a purse of gold, and conducted me himself to the caravan, where he recommended me to several of the travellers, who

were his friends. These were the kindnesses I received in your city, and that renders it so dear to me ; all my concern is, that I have not hitherto been enabled to discover my generous benefactor. I should die content, could I find an opportunity of testifying my gratitude.

"Your wishes are accomplished, cried my prisoner in a transport of joy and excitement. I am he, who received you in my palace. Do you not recollect my features?—The time that had elapsed since that event, and the grief into which he was sunk, had greatly altered his face ; but, on a more close examination of his features, I easily recollected him ; and some circumstances he brought to my mind, left me not the least room to doubt but that the prisoner, who was then in danger of losing his life, was the very person who had so generously saved mine. I embraced him with tears in my eyes, and asked him by what fatality he had incurred the caliph's displeasure.—Some contemptible enemies, he replied, have found means to asperse me unjustly to Mamoun ; I was hurried away from Damascus, and cruelly denied even the consolation of embracing my wife and children ; I know not what fate attends me ; but as I have reason to apprehend that my death is doomed, I request you to acquaint them with my misfortunes.

"No, said I to him, you shall not die : I dare give you this assurance ; you shall be restored to your family ; you are at liberty from this moment. I presently provided some pieces of the richest gold stuffs at Bagdad, and begged him to present them to his wife. Depart immediately, added I, presenting him with a purse of a thousand sequins ; haste to rejoin those precious pledges of affection you have left at Damascus ; let the caliph's indignation fall on me ; I dread it not, if I have the good fortune to save you.

"What a proposal do you make me, said the prisoner ; can you think me capable of accepting it ? What ! shall I, to avoid death, sacrifice that same life now, which I formerly saved ? Endeavour to convince the caliph of my innocence : this is the only proof I will admit of your gratitude ; if you cannot underceive him, I will go myself and offer my head ; let him dispose of my life, at his pleasure, provided your own be safe.—I again entreated him to escape, but he continued inflexible.

"I did not fail to present myself next morning before Mamoun. The prince was dressed in a crimson coloured mantle, the symbol of his anger. As soon as he saw me, he enquired where my prisoner was ? and at the same instant ordered the chief executioner to attend. My lord, said I, throwing myself at his feet, something very extraordinary has happened with regard to the person you yesterday committed to my custody. Will your majesty permit me to explain it ? These words threw him into a passion.—I swear, cried he, by the soul of my ancestors, that thy head shall pay for the prisoner, if thou hast suffered him to escape.

"Both my life and his are at your majesty's disposal ; vouchsafe to hear me. Speak, said the prince. I then related to him in what manner that man had saved my life at Damascus ; that, desirous of discharging the obligation I lay under to him, I had offered him his liberty ; but that he had refused it, from the fear of exposing me to death. My lord, added I, he is not guilty ; a man of such generous sentiments cannot be so. Some base detractors have calumniated him ; and he has become the unfortunate victim of their hatred and envy.—The caliph appeared affected, and having naturally an elevated greatness of soul, he could not help admiring the conduct of my friend. I pardon him, said Mamoun, on your

account; go, carry him this good news, and bring him to me. I threw myself at the prince's feet, kissed them, and made my acknowledgments in the strongest terms my gratitude could suggest; I then conducted my prisoner into the caliph's presence. The monarch ordered him to be arrayed with a robe of honour, presented him with ten horses, ten mules, and ten camels, out of his own stables; to all which favours he received in addition a purse of ten thousand sequins for the expenses of his journey, and a letter of recommendation to the governor of Damascus."

This story is founded on fact, and is only one among traits of the noble and just sentiments of this caliph. Mamoun was son of the caliph Haroun Alraschid, familiar to every reader of the Arabian Night's Entertainments. His name is famous all over the East, and he is reckoned the greatest prince of the Abassides family. He reigned twenty-eight years and eight months. He was a great warrior, of an amiable disposition, and liberal to excess; but what most immortalized him, was his love of learning. He was himself deeply versed in every science, but more especially in philosophy and astronomy. This is the prince who caused the most valuable books to be translated from the Greeks, their first masters. The Mahometan doctors have reproached him for having introduced philosophy, and many speculative sciences, into Mahometanism; for the Arabians of his days were not accustomed to read any other books but what related to their own religion. This prince showed equal favour to every man of knowledge, let his religion be what it would. The question about the creation, or eternity, of the koran, was started in his time, and occasioned much effusion of blood. Mamoun, with a minority of the doctors, held it to be created. But the majority of the doctors insisted, that the koran being the word proceeding from God, was eternal like himself; this sentiment is embraced by all strict Mahometans at the present day, and they consider all who deny this doctrine as infidels.

ON THE GREEK AND ROMAN MONEY.

THE ATTIC DRACHMA.

THE Greek coins were not only money, but weights. This was the case with the drachma. The mina was valued at one hundred drachmæ as a sum, and was equivalent to the same number as a weight. The talent contained sixty minæ, or six thousand drachmæ, both by weight and tale.

This mode of reckoning one hundred drachmæ to the mina, and sixty minæ to the talent, was common to all Greece; and where the drachma of one city differed from that of another, their respective talents differed in the same proportion.

Of all the Greek cities and free states, both in Europe and the lesser Asia, that of Athens was the most famous for the fineness of its silver, and the justness of its weight: Xenophon tells us, that whithersoever a man carried Attic silver, he would sell it to advantage. Their money deserves the more particular attention, both because we have the most unexceptionable evidence of its standard weight, and because our knowledge of the money of other Greek cities is chiefly derived from comparing it with that of Athens.

The current coin of Athens was the silver drachma, which they divided into six oboli, and struck silver pieces of one, two, three, four, and five oboli, of half an obolus, and of a quarter of an obolus. Their larger coins

above the drachma were, the didrachma, the tridrachma, and the tetradrachma ; which last they called stater, or the standard.

OF THE EGINEAN AND EUBOÏC TALENTS.

The Attic was not the only money talent used in Greece. Historians and others mention the Egeinean and Euboic talents. The former weighed ten thousand Attic drachmæ, but, like other talents, contained only six thousand of its own ; which, being so much heavier than the Attic, the Athenians called it the thick drachma. This talent was used at Corinth, as appears from a passage in Aulus Gellius, where the Corinthian talent is valued at ten thousand Attic drachmæ ; and as Corinth was a place of great trade, it was probably used in most of the cities of the Peloponnesus.

If the Attic drachma accurately weighed sixty-six and a half troy grains, the Egeinean ought to have weighed one hundred and ten and five-sixths ; but to avoid fractions, and because the Attic drachma was rather undersized than otherwise, we shall call it one hundred and eleven.

There are Macedonian coins yet preserved, struck before Philip coined gold, that answer to this standard. One of Philip, in the famous Pembroke collection, weighs two hundred and twenty-four grains. Mr. Duane, the antiquarian and medallist, had a silver coin of Alexander, which weighed four hundred and forty-seven grains and a half ; three of Philip, each of which weighed two hundred and twenty-one grains, and two others of the same monarch averaging two hundred and twenty-three grains and a fraction. The mean drachma from these six coins is one hundred and eleven grains and a quarter, which comes as near to the Egeinean drachma as can be expected from so small a number of silver coins. Therefore, the Egeinean talent must have been the standard of the Macedonian money, till Philip changed it.

The Euboïc talent certainly came from Asia ; for Herodotus tells us, that the kings of Persia weighed their gold by that talent. After Darius, the son of Hystaspes, had obtained the sovereignty of Persia by the sagacity of his horse, and the ingenuity of Æbares, his groom, the historian tells us that he divided Persia into twenty provinces, and each of these had to pay an annual tribute, which was fixed, says Herodotus, in the following manner : " They whose payment was to be made in silver, were to take the Babylonian talent for their standard : the Euboïc talent was to regulate those who made their payment in gold ; the Babylonian talent, it is to be observed, is equal to seventy Euboïc minæ."* In commenting on this passage, the learned Arbuthnot in his "*Tables of Ancient Coins*," makes the following remarks : " The word *talent* in Homer, is used to signify a balance, and in general it was applied either to a weight or a sum of money, differing in value according to the ages and countries in which it was used." Every talent consists of sixty minæ, and every mina of one hundred drachmæ ; but the talents differed in weight according to the minæ and drachmæ of which they were composed. What Herodotus here affirms of the Babylonian talent is confirmed by Pollux and Ælian. The Euboïc talent was so called from the island Eubœa ; it was generally thought to be the same with the Attic talent, because both these countries used the same weights ; the mina Euboïca, and the mina Attica, each consisted of one hundred drachmæ. According to the above, the Babylonian talent would amount, in English money, to about two hundred and twenty-six pounds ; the Euboïc or Attic talent to one hundred and ninety-three pounds fifteen shillings.

* Thalia. sect. 89.

Pollux, however, affirms that the Babylonian talent weighed seventy Attic minæ; and if so, then the Euboic talent must have been equal to the Attic. But Ælian differs from Pollux, and says that it weighed seventy-two Attic minæ; if that were the case, then the Euboic talent must have been heavier than the Attic, in the proportion of seventy-two to seventy. An article in the treaty between the Romans and Etolians, recorded by Polybius, whereby the latter were to pay a certain number of Euboic talents, in silver of Attic fineness, seems to favour this inequality of the two talents; for, had they been equal, there would have been no occasion to specify the quality of the silver by the standard of one country, and its weight by that of another. But, if the Euboic talent was the standard used in the commerce between Greece and Asia, (as it seems to have been,) both countries were concerned to keep it up to its just weight; which was a sufficient reason for the preference given to it by the Romans, on account of its authenticity, whether the Attic talent was equal to it or not. And there is a circumstance very strong in favour of their equality, which is, that if Philip changed the money standard of his own country, with a view to the invasion of Asia, (as is highly probable,) he certainly adopted the standard of the Daric, which was the Euboic talent, by which the kings of Persia weighed their gold. But his money answers to the Attic talent, as we have already shown.

OF THE VALUE OF THE ANCIENT GREEK AND ROMAN MONEY.

It does not appear that either the ancient Greeks or Romans allayed their money, but coined the metals as pure as the refiners of those days could make them; for though Pliny mentions two instances to the contrary at Rome, the example was not followed, till the later emperors debased the coin; and his expression, *miscentur æra falsæ monetæ*, shows that he considered the practice illegal.*

Though the ancients had not the art of refining silver, in so great perfection as is now practised, yet, as they mixed no base metal with it, and esteemed what they coined to be fine silver, we shall value it as such.

Sixty-two English shillings are coined out of eleven ounces two pennyweights troy, of fine silver, and eighteen pennyweights alloy. Therefore, the troy grain of fine silver is worth $\frac{1}{42}$ ths of a farthing. Hence, the Attic drachma of sixty-six and a half grains, will be found to be worth a little more than nine pence farthing; the obolus, a little more than three half-pence; and the chalcus, about $\frac{1}{4}$ ths of a farthing. But for the reduction of large sums to English money, the following numbers are more exact.

	£	s.	d.
The Attic drachma.....	0	0	9.286
The mina.....	3	17	4.6
The talent.....	232	3	0

Hence the mina, expressed in pounds sterling and decimals of a pound, will be £3.869; the talent £232.15.

The Romans reckoned by *asses* before they coined silver, after which they kept their account in sesterces. The word *sestertius* is an adjective, and signifies two and a half of any substantive to which it refers. In money matters its substantive is either *as*, or *pondus*. *Sestertius as* means two asses and a half; *sestertium pondus*, two *pondera* and a half, or two hundred and fifty *denarii*.† Whenever the *denarius* passed for ten

* Nat. Hist. c. 3. sect. 83. † Gronovius. De pecuniâ vetere, lib. 1, c. 4.

asses, the sesterce of the two asses and a half was a quarter of it ; and the Romans continued to keep their accounts in these sesterces, long after the denarius passed for sixteen asses ; till, growing rich, they found it more convenient to reckon by quarters of the denarius, which they called " nummi," and used the words nummus and sestertius, indifferently as synonymous terms, and sometimes both together, as sestertius nummus ; in which case, the word sestertius having lost its original signification, was used as a substantive ; for sestertius nummus was not two nummi and a half, but a single nummus of four asses.

They called any sum under two thousand sesterces so many sestertii, in the masculine gender ; two thousand sesterces they called duo or bina sestertia, in the neuter gender, so many quarters making five hundred denarii equalled twice the sestertium ; and they said dena, vicena, &c. ; sestertia, till the sum amounted to a thousand sestertia, which was a million of sesterces. But, to avoid ambiguity, they did not use the neuter sestertium in the singular number, when the whole sum amounted to no more than one thousand sesterces, or one sestertium.

They called a million of sesterces, decies nummum, or decies sestertium, for centena millia nummorum, or sestertiorum (in the masculine gender), omitting centena millia, for the sake of brevity ; they likewise called the same sum decies sestertium (in the neuter gender), for decies centies sestertium, omitting centies for the reason above-mentioned ; or simply decies, omitting centena millia sestertium, or centies sestertium ; and with the numeral adverbs, decies, vices, centies, millies, and the like, either centena millia, or centies was understood in all mercantile, or other accounts. These were the most usual forms of expression, though for bina, dena, vicena, sestertia, they frequently said bina, dena, vicena millia nummum ; and Cicero, in his oration against Verres, uses mille sestertia, for decies sestertium. But Gronovius says, that expression is not to be found elsewhere, and supposes it to be a false reading.

If the consular denarius contained sixty troy grains of fine silver, it was worth somewhat more than eight pence farthing and a half sterling ; and the as, of sixteen to the denarius, a little more than a half-penny. To reduce the ancient sesterces of two asses and a half, when the denarius passed for sixteen, to pounds sterling, multiply the given number by 5454, and cut off six figures on the right hand for decimals. To reduce nummi sestertii, or quarters of the denarius, to pounds sterling ; if the given sum be consular money, multiply by 8727, and cut off six figures on the right hand for decimals ; but for imperial money, diminish the said product by one-eighth of itself.

For example : Cicero says that Verres received "*vicies ducenta triginta quinque millia, quadrigentos decem et septem nummos,*" or in figures 2,235,417 sesterces : this being consular money, multiply by 8727, and cutting off six figures from the product, then £19508,484159, or £19508 9s. 8d. will be their value in English money.

Again, Suetonius relates, that when Vespasian came to the empire, he found the treasury so exhausted, that he declared quadrigenties millies, or 40,000,000,000, nummi, were wanted to support the government. This was imperial money, which multiplied by 8727, and cutting off six figures from the product, gives. £349,080,000

One-eighth of which being subtracted. 43,635,000

leaves. £305,445,000 stg.

But Budœus supposes, that for quadringenties millies, we should read quadrigies millies, which reduces the amount to £30,544,500, and is a much more probable sum.

If the millarenses of sixty in the pound were fine silver, and weighed eighty-four troy grains, they were worth 46,918918 farthings and decimals, or almost eleven pence three farthings sterling; and the solidus passing for twelve of them, was worth a little more than 11s. 8½d.

The pound of gold was worth 864 of these millarenses, amounting to 40537,94 farthings and decimals, which, divided by 1000, give 40,538, or above ten pence and half a farthing for the value of Constantine's millarensis in English money. The Constantinopolitans kept their accounts in solidi, which are reduced to pounds sterling by multiplying the given number by 58648, and cutting off five figures on the right hand for decimals.

CONCLUSION.

The Greeks had no money at the time of the Trojan war; for Homer represents them as trafficking by barter, and Priam (an Asiatic) weighs out the ten talents of gold, which he takes to ransom his son's body from Achilles. This ponderal talent was very small, as appears from Homer's description of the games at the funeral of Patroclus, where two talents of gold are proposed as an inferior prize to a mare in foal with a mule. Whence we may conclude that it was the same that the Dorian colonies carried to Sicily and Calabria; for Pollux tells us, from Aristotle, that the ancient talent of the Greeks in Sicily, contained twenty-four nummi, each of which weighing an obolus and a half, the talent must have weighed six Attic drachmæ, or three darics; and Pollux elsewhere mentions such a talent of gold. But the daric weighed very little more than our guinea; and if two talents weighed about six guineas, we may reckon the mare with foal worth twelve guineas; which was no improbable price, since we learn from a passage in the *Clouds* of Aristophanes, that, in his time, a running horse cost twelve minæ, or above forty-six pounds sterling. Therefore, this seems to have been the ancient Greek talent, before the art of stamping money had introduced the greater talents from Asia and Egypt.

Herodotus tells us, that the Lydians were reputed to be the first who coined gold and silver money, and the talents which the Greeks called Euboïc, certainly came from Asia. No doubt indeed exists of the Greeks having learned the use of money from the Asiatics.

The Romans took their weights and their money, either from the Dorians at Calabria, or from Sicily; for their libra, uncia, and nummus were all Doric words, and their denarius was the Sicilian dekalitron. Pollux tells us, on the authority of Aristotle, that the Sicilian nummus was a quarter of the Attic drachma; and the Romans called a quarter of their denarius by the same name. The weights we have produced of the Greek and Roman coins, so fully prove the ancient Attic drachma to have been heavier than the denarius, that it may seem superfluous to quote any authorities in support of their evidence; nor should we do so, but in order, at the same time, to answer an objection which may be made to the weight we have assigned to the Attic drachma.

In the treaty between the Romans and Antiochus, recorded by Polybius and Livy, the weight of the Euboïc talent is set at eighty Roman pounds. The talent is not, indeed, called Euboïc, in the treaty, which would have been superfluous, when its weight was specified; but both historians, in

relating the terms offered by Scipio to Antiochus, on which this treaty was founded, call it so. Therefore, in Livy's recital of the treaty, for "*Argenti probi xii. millia Attici talenta*," we should read with Gronovius, "*Argenti probi Attici xii. millia talenta*." In a former part of this article, we have endeavoured to prove that the Euboic talent was equal to the Attic; and if so, it contained 6000 Attic drachmæ; but eighty Roman pounds contained 6720 denarii; therefore, according to this treaty, the weight of the Attic drachma must have been to that of the denarius in the proportion of 6720 to 6000. And, even if the Euboic talent was heavier than the Attic, in the proportion of 72 to 70, the Attic drachmæ would still be heavier than the denarius; for, in that case, the Euboic talent should contain 6171 Attic drachmæ, and the two coins would be in the proportion of 6720 to 6171. But an anonymous Greek fragment, published by Montfaucon, makes 100 Attic drachmæ equal to 112 denarii, which proportion of the two coins being the same with that of 6000 to 6720, seems to have been taken from this treaty; and if it was, that learned writer certainly thought the talent therein mentioned, equal to the Attic. This proportion, however, does not agree with the weights we have assigned to the two coins; for if the denarius weighed 60 troy grains, and the Attic drachma 66½, then 6650 denarii should weigh 6000 Attic drachmæ, or one talent; but this number of denarii is deficient of 80 Roman pounds, by just ten ounces. Now, this adjustment of the talents to Roman pounds, was probably occasioned by the Greeks attempting to impose light weights on the Romans, who, finding the talents to exceed seventy-nine pounds, might take what it wanted of eighty pounds in their own favour, to punish the Greeks for their unfair dealings. Or, the standard the Romans pitched upon for the Euboic talent might be somewhat over weight.

After the Romans became masters of Greece and Asia, the Athenians might have found it their interest to lower their drachma to the weight of the denarius, long before they were reduced into the form of a Roman province, by Vespasian. When they did this, and whether they did it gradually, as may seem probably from some tetradrachmæ now remaining, is uncertain; but that they did so, sooner or later, cannot be doubted. Pliny and Scribonius Largus expressly say, that the Attic drachma was equal in weight to the denarius; and Aulus Gellius, who, having resided long at Athens, could not be ignorant of the value of the current money of that city, says that 10,000 drachmæ, were in Roman money so many denarii. And the Attic gold coin above mentioned, specimens of which are in the British Museum, is a further proof of their having reduced their money to the Roman standard.

These are the most authentic testimonies that the two coins ever were equal; for though all the Greek writers on Roman affairs call the denarius, drachma, it is no proof of their equality; for one being the current coin of Rome, as the other was of Athens, and not very unequal in value, a Greek might consider the denarius as the drachma of Rome, and translate it by that word, which was familiar to his countrymen; as we call the French ecû, or the Roman scudo, a crown; which has no more affinity to the French or Italian names, either in sound or in signification, than drachma has to denarius.

ANGLO-NORMAN INSTITUTIONS.—No. 4.

IN former articles, under this head, we endeavoured to sketch the manners and usages which prevailed in the ancient palaces of our kings, and also to pourtray the system of judicial administration observed in the old courts of justice: we now propose to give some account of the royal exchequer, or repository of the king's revenue.

The supreme court was called *curia regis*, and the exchequer was anciently a member of it, and used to be held within the palace. The barons and great men, specially attached to the royal household, ordinarily presided, though the king occasionally sat there in person, as well as the chief justiciary, the treasurer, the constable, and the marshal. The exchequer in Normandy was also a member or adjunct of the ducal court in that province, and many final concords and feoffments, still preserved, were executed in the king's court, or exchequer, at Caen. The same system obtained among the Lombards, Franks, Germans, and Neapolitans of the Norman race, the treasury of their princes being frequently denominated by the name of their courts; as, *palatium regis*, or simply *palatium*; *curtis regia*; *curia regia*; and *camera regia*. Among the feudists, the word *camera*, used with relation to the prince's revenue, has always been interpreted, a treasury or repository for money. The prince's treasury has likewise been called by other names than those already mentioned, as *fiscus* and *erarium*. On the continent the word *fiscus* sometimes denoted, not only the royal treasury, but generally all lands and revenues belonging to the prince. King Pepin gave to the church of St. Victor the tolls of a town, and all that belonged, *ad ejus fiscum*. Again, *fiscus* sometimes signified the possessions or revenues of private persons. We learn from the old chroniclers that one Rothbert, and his superior lord, restored to the church of St. Victor and to the bishop of Marseilles all that had been unjustly taken from their *fiscus* or possessions. And Sugerius, abbot of St. Denis, sets down in his history the several fees which that abbey had bought, *ex fisco proprio*, with their own money or revenue. *Feodos vero*, says the abbot, *quos ex fisco proprio emimus, subter intitulare curavimus*.

It is not absolutely certain, from what original the word *scaccarium* is derived. Divers conjectures have been made about it, but the majority of etymologists deduce it from *scaccus* or *scaccum*, a chess board, or the *ludus scaccorum*, the game of chess. The exchequer of England was in all probability called *scaccarium*, because a chequered cloth, figured with squares like a chess board, was anciently laid on the table of that court, which custom continues to this day. In truth, a chequered cloth itself was sometimes called *scaccarium*. At the coronation of king Richard the First, six earls and barons carried *unum scaccarium*, upon which were laid the royal insignia and robes. And in the holy war, there were found on the field after a battle, spices, gold and silver, electuaries, *scaccaria*, and other valuable treasures. From the Latin, *scaccarium*, comes the French, *exchéquier*, and the English name seems borrowed from the French. Richard Fitz-Nigell, the author of the ancient treatise or dialogue on the exchequer, says that it was so named after the chequered cloth. Poldore Virgil, speaking of the exchequer, as instituted by William the First, intimates that it was corruptly called *scaccarium*, but ought to be called *statarium*, from its stability, as it was the firm support of the crown or kingdom, revenue being the sinews of a nation. Sir Thomas Smith, in his "Com-

monwealth of England," p. 144, says: "The exchequer is *fiscus principis*, or *ararium publicum*; but I cannot tell in what language it is called *scaccarium*. Some think it was first called *statarium*, because that there was the stable place to account for the revenues of the crown, as well of that which came of patrimony, which we call the demesnes, as that which cometh of other incident requisitions." Skene, in his old glossary, writes thus: "Uthers thinkis that *scaccarium* is so called a *similitudine ludi scaccorum*, that is the play of the chesse; because mony persones conveenis in the checker to play there causes contrare uthers, as gif they were fecht-and in ane arrayed battle, quhilk is the forme and order of the said playe." The learned Ducange, in his glossary, at the word *scaccus*, remarks: "From what original the word *scaccus* comes, it is not certain. Some have supposed that it comes from the Arabian and Persian word *schach*, which signifies a king: by which name the chief actor in the game of chess is called."

However, whatever may be the true etymology of this word, it is easy to observe a striking similitude between the exchequer of Normandy and that of England. The "Coutumier" says that, in Normandy from time immemorial, as well before the union of that duchy to the crown of France, as afterwards, there was a court and sovereign jurisdiction, wherein all causes arising within that duchy were decided, as in the last and highest resort; and that the said court was anciently called the exchequer. By the description there given of the Norman exchequer, it appears to have borne a resemblance to that of England, considered in its most ancient state. It was, says the "Coutumier," a court that could not be held without assembling together the prelates, barons, earls, judges, and other officers of the duchy, nor without solemnities and ceremonies, which were laborious and burthensome, both to the prince and people. For which and other reasons there mentioned, it was in process of time changed into a court, called, *La cour de parlement de Normandie*. That change is generally supposed to have been effected by Francis the First, A. D. 1515: but, before that alteration, the Norman exchequer seems to have remained in its ancient state. In it assembled the high justiciaries, to whom it appertained to correct the erroneous or false judgments of bailiffs and other inferior judges, and to do right to every man, without delay, as if it were spoken by the prince's mouth, and to maintain the ducal rights and dignities. We are further told, by the same authority, that all important causes in the dukedom were determined either at the assizes, or in the exchequer, or immediately before the prince.

From the "Neustria Pia," and the "Chronicles of Beccius," we earn many curious particulars of this tribunal, some of which we have thrown together to give the modern reader some notion of the old proceedings in the exchequer of Normandy.

In the year 1258, Louis, king of France, granted several estates on perpetual fee farm rents to the monks of St. Ouen, at Rouen, for sixty livres tournois, to be rendered in moieties at the two exchequers; to wit, the exchequer of Easter, and the exchequer of St. Michael. In the year 1281, the liberty of the prior de Free was declared in *pleno scaccario Pasche*, before the masters of the exchequer at Rouen, and judgment given for him by the said masters presiding in the same exchequer. In the year 1208, Nicolas de Montigny, and Isabel, his wife, made a grant in Frank-almoigne to the church of Bonport, and confirmed it by an oath, taken in the exchequer at Rouen, before Walter the chamberlain, and others. In

the year 1374, a composition was made, in the Norman exchequer, between two religious houses, touching tithes; and afterwards a suit which arose, touching the said composition, in the year 1386, was determined in the exchequer. These examples show that the exchequer of Normandy was a great and considerable court; not a place of revenue only, but also a juridical court. The name, exchequer, was so well known and so much used in that duchy, that other juridical courts besides that of the duke bore the same appellation. The canons of Rouen had an exchequer or juridical court, to which appeals were made from inferior jurisdictions; and the archbishop of Rouen had also his exchequer or juridical *forum*, which, at stated times, was held in his palace, and was much more splendid than that of the canons.

It appears further, from records still preserved in England, that the exchequer of Normandy was an ancient court. In the fifth year of the reign of Stephen, king of England, Richard Basset and Aubrey De Vere, sheriffs of Essex and Hertfordshire, accounted for a thousand marks of silver, the surplus revenues of those counties. They paid four hundred marks of silver, part thereof, at the treasury in England, and the residue, to wit, five hundred marks of silver in money, and one hundred marks of silver in plate, at the treasury of Normandy. The payment in Normandy was made to Nigell, nephew of the bishop of Salisbury, who was then treasurer of Normandy, and to Osbert de Pontearch, who was then one of the chamberlains of that duchy. Also: in the reign of our Henry the Second, Hugh de Gurney paid his relief for his land in England at the exchequer of Normandy, which payment is certified by writ to the barons of the exchequer in England. And William de Mandeville, earl of Essex, custos of the lands which the earl of Flanders then held in England, paid part of the proceeds of those lands to the king in his treasury of Normandy.

There is a record extant in the tower of London, curious and remarkable in many of its details, which clearly shows that, in their model, the exchequers of England and Normandy were the same. It was recovered by a Mr. Holmes out of the heap of records that lay confused in the White Tower there, till queen Anne, on the petition of the House of Lords, commanded them to be put in order. It is a fragment, consisting of three large membranes of a Norman Great Roll. These membranes are nearly twelve inches wide, written on both sides in the same stately style of bold penmanship as the English Great Rolls, called the Pipe Rolls, of king Henry the Second's reign. These Norman membranes are so like in character, method, and manner of entry, to the English Pipe Rolls of the exchequer of the same age, that they are scarcely to be distinguished, one from the other. Notwithstanding this similitude, these are certainly part of a Norman Great Roll, as well by the contents of them which shew that they relate only to Normandy, as likewise by the inscription endorsed on their back. That inscription is in fair capitals, and in the following words: *Anno ab incarnatione Dni M° C° LXXX° IIII° Apud Cadomum Willelmo Filio Radulfi Senescallo Normannie.* We shall extract some few of the entries, as throwing light on the spirit of the time.

1st. As to fines and proceedings. Engeran de Moncelles gave twenty-six livres tournois five sols, that his judgment might be speeded. Geoffrey Deldrevill gave one mark of silver, for expedition in his plaint. This reminds us of the refreshers claimed by modern lawyers, to proceed with

a cause. Joscelyn and his brother Geoffrey gave one besant, to have the testimony of the justiciaries, concerning a house which he bought of William de St. Vedast. This seems to resemble our *Vue de Justice*. As to amerciements on divers occasions. One Richard was amerced twenty livres for a *stultiloquium*, that is, for making a fool of himself. Gilbert de Cressonerie was fined twenty livres for being present at the wedding of Robert de Sakenvill's wife. Walchelin de Ferrers was amerced one hundred livres, because the wager by battle, on a charge of robbery, was ill kept in his court. These few instances serve to show the nature of this roll and the jurisdiction of the Norman exchequer.

We now proceed more particularly to the origin of the exchequer in England. Richard Fitz Nigell, the author of the old treatise, entitled a "Dialogue concerning the Exchequer," thus writes: "The institution of the exchequer is confirmed as well by its antiquity, as also by the authority of the great men who sit there. For it is said to have been erected by king William the First at the time of the conquest of this realm, its model being taken from the transmarine exchequer; but they, (the exchequer of Normandy and England,) differ from one another in several and very particular things. Again, there are some who think there was an exchequer under the Anglo-Saxon kings. And they go upon this ground: because there were farmers, (very ancient men,) who had lived upon some of the crown lands, that could remember, or had been told by their fathers, how much, *De Albo firmæ*, men were obliged to pay for every pound. But this relates to the manner of paying the *fermes*, and not to the session of the exchequer. Besides, if a man alleges that the *album firmæ* began in the Anglo-Saxon times, it may be urged against him, that in domesday book, (which contains an exact description of the lands of the whole realm, and mentions the value of all men's lands, as well in the time of king Edward the Confessor, as in that of king William, by whose order it was written,) there is no mention whatever made of the *album firmæ*. From whence it is reasonable to suppose, that after the time of making that survey, the constitution concerning the *album firmarum* was made by persons intelligent in that affair; for the reasons which I shall mention by and by. But at what time soever the exchequer began, it is certainly founded on so great an authority, that no man ought to break its statutes, or be so hardy as to oppose them. For this the exchequer has in common with the king's court, (wherein the king personally sits in judgment,) that it is not lawful for any man to contradict what is recorded and adjudged there."

The old chroniclers and historians of England, who wrote before the conquest, make no mention whatever of an exchequer, nor does the word *scaccarium* occur in any monument of the Anglo-Saxon age. Mr. Somner and Dr. Hickes both attribute its establishment to the Normans. Bishop Stillingfleet also adopts the same opinion. He says, that "after the Norman conquest there were two supreme courts; one relating chiefly to the king's revenue, which William the First brought out of Normandy, and had its name of exchequer from thence,—in this the great officers of state and other barons sat; the other was the supreme court of justice, commonly called *curia regis*, where all greater causes and matters of appeal were heard; and the king was not only often present, but there judged with his lords and ministers sitting in court. This was then the supreme court both of law and equity." This united testimony leaves no doubt that the exchequer was unknown to the Anglo Saxons.

From, or very soon after, the Norman conquest, the exchequer of England is frequently mentioned by English historians. It certainly existed in the reign of Henry the First, son of the Conqueror. This appears by a charter from that monarch to the canons of the Holy Trinity in London, directed to Roger, bishop of Salisbury, then chief justiciary, and to the barons of the exchequer. There were also *rotuli annales*, or Great Rolls of the Pipe in that reign. Excepting domesday book, the oldest record or roll now extant commonly passes for the Great Roll of the fifth year of king Stephen, preserved in the Pipe office at Westminster. From this collected evidence we may safely conclude that the exchequer in England was founded by one of the Anglo-Norman kings, after the model of the exchequer in Normandy.

It is certain that the Normans made great changes in the old laws of England. After the conquest, the great officers of the king's court in England had Norman titles, and discharged different functions from those which prevailed among the Anglo-Saxons. The terms of law became for the most part Norman. The writs and forms of process were borrowed from Normandy. It must not, however, be understood that this alteration was completed by the Conqueror himself; he did what he could with policy, and his example was to some extent copied by his successors; but it was not before the reign of Henry the Second, that the old system was entirely superseded by the introduction of the Norman jurisprudence. It is not difficult to account for this delay. William the First was chiefly engaged in quelling the discontents of his new subjects, and securing to himself and successors a firm possession of the throne. William the Second reigned under a doubtful title, his elder brother Robert being lawfully king, and therefore it was the policy of William to conciliate his English subjects, and not attempt any extensive change in their customs and usages. The same motives must have influenced Henry the First. The reign of the next king, Stephen, was wholly occupied with war, and left no time for changing the institutions of the country. But his successor, Henry the Second, stood in a better position than any of his ancestors, for he came to the crown by an undoubted title, and surpassed all his predecessors in power and extent of dominion, being king of England, duke of Normandy, lord of Ireland, and earl of Anjou and Aquitaine. Indeed, he was the greatest prince in Christendom of his age, and he ordered the famous Glanville to draw up a compendium of the laws, as a code for the nation. If his work be compared with the *coutumier*, it will be seen to be almost a transcript of the Norman law.

In ancient times, all business was transacted at the exchequer at two fixed periods of the year, called the *duo scaccaria*; one of these was held at Easter, and the other at Michaelmas. These terms were the times appointed, at which summonses issuing out of the exchequer for levying the king's debts were made returnable, and then all who owed money were compelled to make their payments into the exchequer.

Besides the great exchequer, the king had some subordinate places of revenue, which were also called by the same name. There was one at Worcester, where the scutage-money of that county was received. Another was called *scaccarium redemptionis*, in which all sums were paid to ransom the person of Richard Cœur de Lion. Another had the curious title of *soaccarium aronis*, to which two clerks were attached. By this exchequer of Aaron might be meant the place of receipt of the royal revenue accruing to the crown from the forfeited estate of Aaron, the unfor-

fortunate and prosecuted Jew of Lincoln. There was also a special exchequer to audit the extortions wrung from the Israelites, called *scaccarium judæorum*, which fact of itself shows convincingly the numerous acts of spoliation committed on this unhappy race, or else a particular place of receipt would not have been required.

The king, if he pleased, sat and acted in his exchequer. Henry the Second did so in the eleventh year of his reign, when Thomas, archbishop of Canterbury, was called to account for his receipts of the king's revenue during his chancellorship, when he pleaded a discharge before his Majesty, all the barons of the exchequer, and Richard de Luci, justiciary of England. When the king's exchequer was held at Westminster, there were two principal rooms for the barons to sit in. One was called *scaccarium baronum*, and the other *thalamus baronum*, *thalamus* being here understood as a council chamber, though it properly signifies a bed-chamber. The greater *scaccarium* was sometimes called the *scaccarium in solio*, the throne-like exchequer, because it had a more regal appearance, to distinguish it from the *thalamus*. The *pannus laneus* was the chequered cloth, convenient for arranging and counting the money, the spaces being divided by strongly marked lines, which rendered the operation far more easy than if the cloth had been all of one colour. This was provided new twice in each year by the sheriffs of London and Middlesex, but at the king's charge. Besides these two principal rooms, allotted to the barons to sit in, they had also chambers in the palace, but whether for lodgings or business, it seems doubtful.

The chancellor discharged part of his duty in the exchequer court. He attended ex-officio upon the affairs of the revenue at the exchequer, and acted of course together with the justiciaries and barons. The great seal was commonly kept in the treasury of the exchequer. Writs in chancery were frequently issued from the same court. All writs of summons for the king's debts and rights, and the writs to call councils, and convoke barons and knights *ad habendum servitium* were sometimes made at the exchequer, and were sealed there by the spigurnell or chafe-wax of the chancery, and afterwards transmitted through England by the usher of the exchequer. There was a clerk constantly in attendance called clericus, or magister scriptorum, and another called scriptor rotuli de cancellaria. The former was bound to find fit persons to write the rolls of the chancery, and the writs that were executed at the exchequer, and also the summonses; and to take care that they were faithfully transcribed. From an old memorial registered in the Red-Book, it appears that the chancellor received "five shillings per day, and an allowance of simnells, wine, and other small things." Then immediately follows the salary of the clerk. "The *magister scriptorum* had at first ten pence per day, and one seasoned simnell, and half a sextary of the vinum expensabile, and one large candle, and twelve pieces of candle: but king Henry raised the allowance of Robert de Sigillo so much, that at the time of that king's death he had two shillings, and one sextary of the household wine, and one seasoned simnell, and one whole taper, and twenty-four pieces of candle.

It is not clearly settled when the chancery was separated from the exchequer. But it appears most probable that it occurred, when king Richard the first was in the Holy Land, for, during his absence, William de Longchamp, the king's justiciary and chancellor, was divested of his office by the power and intrigue of John earl of Moreton: after which

though he continued chancellor for some short time, he ceased to attend at the exchequer. From that date to the present time, these two courts have continued separate and distinct.

THE ROMAN DE ROU.

(Continued from page 166.)

THE first place at which Rollo halted in Normandy was Jumieges, where, according to Wace, he deposited, on the altar of the church, the heart of St. Arnoul, which he had brought with him in his ships among the spoils of his campaigns. Our poet has borrowed this very improbable fact from his usual guides, Dudon of St. Quentin and William of Jumieges; but it is scarcely credible that Rollo, thirty-six years before his conversion to Christianity, should have paid any respect to sacred relics. Wace has, also, strangely altered the name of these holy remains; for, according to the two historians above-mentioned, they did not belong to St. Arnoul, but to a virgin, called the blessed Hameltrude, or Ameltrude.

As soon as intelligence reached Rouen that Rollo had arrived in Normandy, Franco, the archbishop, resolved to visit him at Jumieges. This city had been pillaged and destroyed by the Northmen on a former occasion, and it was now the great object of Franco to prevent the recurrence of a similar calamity. In this negociation, the archbishop is entirely successful: Rollo pledges himself that no violence shall be offered either to the property or the lives of the inhabitants, and then makes his peaceable entry into Rouen. His companions are delighted with the spaciousness of the city, and the beauty and fertility of the surrounding country, and urge him to select it as their permanent abode. To this he accedes, and anchors his fleet, according to the text of Wace, at St. Morin. St. Morin was the church, now destroyed, of St. Martin-du-Pont, known in ancient times by the name of St. Martin-de-la-Roquette, because it was built, say the historians of Rouen, on a small rock (*rocher*) in the middle of the river. Farin also remarks, in alluding to the nature of the ground on which this church was erected, that it required a sharp blow with a pick-axe to produce any impression upon it. It is indeed admitted by all antiquarians, that the bed of the Seine, in remote times, extended close to the site of the cathedral, and that the course of the stream is now greatly changed from what it used to be.

The identity of St. Morin with St. Martin-du-Pont is abundantly proved, by comparing the text of Wace with those of Dudon of St. Quentin, and William of Jumieges. *Rotomo venit, portæque cui innexa est ecclesia Sancti Martini naves plurimo milite fecundas adhesit.* It seems most probable that the station in which Rollo anchored his ships was that part of the arm of the river which lies between the town and St. Martin, known in the middle ages under the name of Port Morand; and if we take a little pardonable liberty with the etymology of Wace, we may conclude that the vicinity of the church might have given the neighbouring harbour the name of Port St. Morin, (Port Morin,) and by a slight change in the termination of the word, Port Morand.

The French being alarmed at the occupation of Rouen by Rollo, make preparations for defence under the command of count Reinault, who appears, however, to be a fictitious character, invented by Wace to carry

forward his narrative of events. He sends Hasting on an embassy to Rollo, the same freebooter who had received the investiture of Chartres, as stated in our last number. The result of their interview is a defiance from Rollo, and his determination to seize on the territories of count Reinault. Hasting returns with this message, and being nettled at some remarks made by one of the French chevaliers, named Roulant, he determines to quit France, and sells his seignorial rights on Chartres to a count Thibaud. But this negociation is not historically true: for Hasting never actually possessed this territory, and this Thibaud flourished in the tenth century, so that he could not have been a cotemporary of Rollo, at least at this period of his life.

A battle now ensues, in which the Normans are victorious; they push their depredations up to Meulan, and then lay siege to Paris. While Rollo is plundering the capital, he dispatches emissaries to Bayeux, Evreux, and Lisieux, to survey the state of the country, and ascertain the means of defence collected in these different towns. The intelligence that he receives, induces him to march on Bayeux, which he captures, but grants the inhabitants a truce for one year, and takes the daughter of Berengier, count of Bayeux, for his mistress. Her name was Pope, and she was the mother of William Longsword.

Bayeux, in Latin *Baïæ*, *Bajoca*, *Bajocæ*, *Bajocum*, *Bagiæ*: the expression, *Apud Bagias*, is one of the inscriptions on the famous tapestry of queen Matilda, of which we have given a copious account in former numbers. The French name of this town has also experienced many variations, from the caprice or fancy of orthographers. It has been spelt *Baer*, *Baier*, *Bajues*, *Baieues*, *Baieux*, and finally, *Bayeux*. This city, the capital of Bessin, or Baessin, as Wace writes it, offers a crowd of historical recollections. The ancient Druids had there a college. Under the Romans, it was an important military station. A Saxon colony was planted in its immediate neighbourhood, and the language and customs of the Northmen were preserved at Bayeux, for a longer period than in any other district of France. The remains of hot baths and mile stones, as well as medals of the upper and lower empire, have been discovered in its interior, and suburbs. There still exist at Bayeux, and particularly in the districts bordering on the neighbouring sea coast, many curious monuments of the architecture of the middle age.

Quitting Bayeux, Rollo next led his victorious army against Evreux, which fell under his power, and he again marched on Paris. Here he levied heavy tributes, but receiving a message from the king of England that his throne was in jeopardy, Rollo, eager to repay the favour that he had formerly received from him, when Athelstan sent him ten ships laden with provisions, and manned by fighting men, raised the siege, and crossed over to Southampton. He succeeded in subduing the enemies of the king of England, and re-establishing the regal authority, and generously refused any reward, though he was offered half the realm for his services. Such is the statement of Wace, but it is evidently apocryphal, and no historical credit ought to be given to any of the pretended friendly relations between Rollo and Alfred, erroneously called Athelstan by Wace, for they are not noticed by a single English chronicler.

On the return of Rollo to Rouen after this expedition, the French king is seized with alarm, believing this formidable warrior to be invincible by mortal hand. He summonses the archbishop of Rouen to the capital, and convenes a meeting of his nobles, to devise some plan to pacify his

turbulent and restless enemy. The king is anxious to conclude an armistice for three months, and addresses his peers in the following pathetic lines :

Cunseilliez mei, dist-il, jo ne sai ke jo face ;
 Rou nos a fet maint mal, et encor nos manace,
 Nostre terre destruit à nos hommes décade (1)
 N'i a ne fort ne fièle, ki à Rou contrestace. (2)
 La gent de cest paiz est mault descunfortée ; (3)
 Partie en est foule, partie en est tuée ;
 N'a ne boef, ne charrue, ne vilain en arée, (4)
 Ne vigne provignie, ne couture semée ;
 Se ceste guerre dure, la terre iert (5) degastée. (6)
 Requerez Rou de trièves, à treis meis solement,
 E seil asséeurée entre nos è sa gent ;
 Entretant parleron de fere acordement,
 E s'il vout fere paiz, jel' (7) ferai bonement
 Donrai (8) li tant du mien en or et en argent,
 Bien devra tenir paiz, se sa gent le consent.

Vers. 1453.

Rollo grants the requested armistice for three months, but from the language of Wace,

Frankes la triève prist, è Rou li otria,
 Mez à sis compaignonz anceis se cunseilla,

it appears Rollo was, at this time, no more than the temporary and conditional chief of the Northmen, and that he did not become their duke or sovereign before he had firmly established his authority by doing homage to Charles the Simple. Many of the French reproached the king with unworthy cowardice in thus soliciting a favour from these Pagan invaders, and Rollo became the object of their jests and ribaldry. He smothered his resentment till the three months had elapsed, for his sense of honour kept him faithful to his engagement. But he then took his revenge, slaughtering the inhabitants, and devastating the land. He penetrated into the interior of France, up to Sens-sur-Yonne, but when he arrived at St. Benoit sur Loire, Wace tells us that he saved the monastery of Fleury from pillage, which savours more of a compliment than a truth. He ravages the Gatinais, destroys Estampes, then marches against Villemeux, near Dreux, and again bends his steps towards Paris. The whole population now rise up in mass to arrest his destructive attacks, but are defeated ; after which the conqueror plunders Dunois and the country round Chartres, and then lays siege to the town. Wace describes Chartres as an ancient city of great wealth, and enjoying the supreme felicity of possessing in its principal church the chemise of the holy virgin :

De la Sainte Virge Marie, Mere de Dé,
 I esteit la kemise, tenue en grant chierté.

Vers. 1572.

Considerable preparations were made to repel this attack. The bishop, Gocelmes, displayed great activity, and all the clergy were employed in

(1) Chasse. They still use, at Bayeux, *décasser* for *chasser*.

(2) Conteste.

(3) Découragée.

(4) Labourage. In parts of France *œuvres* is still used in the same sense.

(5) Sera.

(6) Dévastée; the *v* for the *g*.

(7) Je la ferai.

(8) Je lui donnerai ; in an old Norman ballad, we find the same idiom :

Ma fame dict que je serai prophète
 Et me donra ung jolly chaperon,
 Qui sera fait à nouvelle façon
 Et par dessus une grise cornette.

Vaudevires de Basselin.

singing psalms and preaching, to rouse the courage of the people to defend the sacred chemise from the indignities of the pagans. Many powerful barons marched to the relief of the city, among whom were the duke of Burgundy, and the count of Paris. The French fought bravely, but the fury of the assailants, and their military renown, at last created a panic among the defenders. Then the bishop, taking the holy relics, and the blessed chemise, issued forth from the gates, accompanied by the clergy and the men in arms, chaunting hymns, and imploring the protection of the virgin. When Rollo saw this holy procession, his courage quailed, and he fled, and encamped on a neighbouring height.

Quant Rou si grant gent vel, si s'en est esbahi
De la procession ki de Chartres issi,
Des reliques k'ls portent, è des cants k'il oï,
De la sainte kemise ke la Dame vesti,
Ki Mère è Virge fu quant de lié Dex naski,
Out Rou si grant poor, è tant s'en esbahi
N'i osa arester, verz sis nés tost s'enfui,*
E come pluséors distrent la véne perdi.

Vers. 1640.

The French, fully satisfied that a miracle had been wrought in their favour, vigorously attacked the enemy, being led to the encounter by the earl of Poitiers and the duke of Burgundy. Wace admits that the Normans lost eighteen hundred men, but the French historians swell the number to six thousand eight hundred. However this may be, Rollo was repulsed with great slaughter, though his troops fought bravely, and the battle only terminated at the approach of night. The Normans were now reduced to a fearful extremity, knowing that the engagement would be renewed in the morning. One of Rollo's favorite chiefs advises him to cut his way through the French army, under cover of the darkness, and this recommendation is carried into execution with complete success. And here they did a deed peculiar to the manners of that remote age. They slaughtered all the horses and oxen they could seize, and flayed them; after which they formed an entrenchment with their skins; and when the dawn broke, and the French saw this singular fortification, they desisted from all further pursuit, being, as Wace says, shocked at the sight. But it is probable that a more powerful motive restrained them; to wit, superstition; for it was universally believed that the skins of recently slaughtered animals possessed many sovereign virtues, and if the French plucked up courage at seeing the chemise of the virgin, it is reasonable to suppose that their fears returned on beholding this Norman palladium. Even now, the peasantry of the Bessin repose unbounded faith in the blood of animals. They rub themselves with bullock's blood to alleviate pains in the limbs, and plunge their naked arms into the warm entrails of a dying ox, as a cure for atrophy and rheumatic affections.

Rollo next lays waste the whole country from Blois to Senlis, massacring old and young, and violating wives and maidens. The nobility of the kingdom now lay their complaints before the king, Charles the Simple, invoking him to protect his Christian subjects against these pagan freebooters. They say that not an acre of corn was cultivated from Blois to Senlis; that no one dared move out of his castle, or stir out of a town; that the farmers could never till their land, nor cultivate the vine; and that a universal famine must ensue, unless Rollo was arrested in his

* Sebastian Rouillard, in his "*Histoire de Chartres*," says that the Normans were encamped near to "*La Porte Drouaise*," which spot, yet in his time, was called "*Pré des Reculés*."

devastating course. In reply to this application, the king expresses his deep sympathy with the sufferings of the people, but defends himself against the charge of indifference and apathy, by remarking that he himself is only one man, and that his barons have not rallied round his standard, as they ought to have done. But to prove his personal desire to put an end to this war of extermination, he offers, on condition that Rollo will renounce paganism and be baptized in the Christian faith, to give him his daughter, Gisele, in marriage, and all the maritime district between the Eure and Mont St. Michael, observing that there is no finer territory under the canopy of heaven, (*la chape del ciel*;) and that it abounds in honey. Wace describes the boundary of the offered land very accurately :

E la terre marine dechà tresqu'à Coisnon.
Là commence la terre Berengier li Breton.

Vers. 1860.

The "Coisnon," here mentioned, is the river which separates Normandy from Brittany, and empties itself into the sea at Mont St. Michael, which it leaves in Normandy by the winding sinuosities of its stream ; which circumstance gave rise to the well known *jeu d'esprit* :

Coesnon par sa folie
A mis le mont en Normandie.

Archbishop Franco is immediately dispatched on this embassy, and he delivers an eloquent speech to Rollo, pointing out the blessedness of being a Christian, the felicity of possessing the king's daughter for his wife, and the happiness that he will enjoy in holding in peace a rich and spacious kingdom. These arguments produce the desired effect, and Rollo, after consulting his comrades in arms, gives his assent to the proposed arrangements. Charles the Simple, attended by his barons, has an interview with Rollo at St. Clair, on the river Epte, a town three leagues distant from Gisors and two from Magny. Rollo stretched out his hand to the monarch, in token of homage, but this was not deemed sufficient, and he was desired to kiss his foot, which Charles raised up ; on which Rollo threw the king down, a gross act of rudeness, scarcely credible even in those rough times, but one related by the chroniclers of both nations, with as much unanimity as merriment. Wace records it very distinctly :

Rou devint hom li Roiz à sis mains li livra ;
Quant dut li pié beisier, balasier ne se daingna ;
La main tendi aval, li pié el Rei leva,
A sa buche le traist à li Rei enversa ;
Asez en ristrent tuit à li Rei se drescha.*

Vers. 1905.

Charles, however, pocketed the affront, and gave his daughter to Rollo in presence of the spectators, and offered to add Flanders to Normandy, but this the Norman refused. He, however, insisted on receiving Brittany, declaring that Normandy alone was so unfruitful a country, that it would not subsist his followers. It had, indeed, been reduced to sterility by his continued ravages, but it is now one of the most fertile and best cultivated provinces in France. The demand of Rollo was conceded, and Berengier and Alainz, according to Wace, were commanded to do him homage. This Berengier was Juhael Berenger, earl of Rennes. The "Chronique de Bretagne" fixes his death A. D. 901 ; which does not

* Or thus in modern French : A sa bouche le tira, et le roi renversa ; tout le monde en rit assez, et le roi se releva.

accord with the statement of Wace, who fixes the peace of St. Clair A. D. 912. This Alainz was known as Alain-Barbe-Forte.

After being invested with the ducal authority, Rollo is baptized by archbishop Franco, and receives the name of Robert, and he is then married to Gisele. The nuptials are described by Wace as most splendid, and every person, without distinction, was freely admitted to partake of the festivities. The duke then remunerates his companions in arms, who are all baptized, and embrace the Christian religion. He gives them villages, castles, and cities, and establishes a rigorous police throughout his duchy.

Paiz ama, è paiz quist, è paiz fist establir,
 Par tote Normendie fist crier è banir
 K'il n'i ait tant hardiz ki ost (1) altre assaillir,
 Mezon ne vile ardeir, (2) ne rober ne tollir,
 N'à home fere sanc, ne tuer, ne multir,
 En estant ne à terre (3) ne battre, ne ferir,
 Par gait ne porpensé (4) altre hoime trair,
 Ne ait ki ost embler, (5) ne altre cunsentir,
 Quer li cunsentant (6) doit o larron patir;
 Li jugement de l'un, doit l'autre soffrir.

Vers. 1950.

In order to preserve female chastity, and give an example of his resolution to repress the licentiousness or gallantry of the times, Rollo beheaded two French cavaliers, who had contrived to obtain a private interview with his duchess. She took this so much to heart, that she neither ate nor drank for four days, and even urged her father to punish Rollo. Charles the Simple was personally disposed to aid her wishes, but his barons insisted on his remaining silent, so fearful were they of rousing the vengeance of this formidable conqueror. Indeed, the duke executed his laws with inflexible severity, of which Wace gives us an instance in the case of a peasant, living at Long-Paon, and his wife. He says that they had no children, and that the woman was a notorious thief. One day the husband went out to plough, and when the dinner hour arrived, he returned to his cottage, leaving his plough on his field, being well assured that no one dared steal it during his absence. His wife, however, removed the share and the coulter, while he was taking his meal, and on his return to his labour, the countryman perceived that he had been robbed. He, straightway, repaired to Rollo, and laid his complaint before him, when the duke, feeling for his loss, made him a present of five *sous*. When he reached his home, he told his wife of his misfortune, and showed her the compensation he had received. "Very well," says she, "we are gainers of five *sous*," and then showed him the share and coulter which she had concealed under a bench. This trick soon got wind, and reached the ears of Rollo, who summoned the peasant into his presence. "Tell me," said the duke, "if your wife is not generally dishonest, and given to thieving, and if she has not even robbed you?" The man answered in the affirmative, on which Rollo said: "You have pronounced your own sentence and condemned yourself, and you shall be hanged, as well as your wife, for you know the nature of my laws:"

Esgal leis, esgal paines, esgal mal vos atent,
 Esgal jugement ont ki emble, è ki cunsent.

Vers. 2031.

(1) Qui osât.

(2) Maison ni village brûler.

(3) Debout ni par terre.

(4) Par embûche ni guet-à-pens.

(5) Voler.

(6) Le complice.

Wace says that this punishment produced the happiest effects throughout the duchy, the people being convinced that the law could never be evaded. He places the residence of the peasant and his wife at Lungeville, and if we had no other guide but our poet to determine the locality, we might have supposed that he alluded to Longueville-la-Giffard, in the arrondissement of Dieppe : but the name, given by Dudon of St. Quentin and William of Jumieges to the scene of this transaction, Longa Petentis Villa, puts beyond all doubt that this Long-Paon was a hamlet of Darnetel ; and indeed this spot accords best with all the circumstances of the event, which seems to have taken place under the eyes of the duke, and not at twelve leagues from his residence.

Rollo, not having any children by Gisele, puts her away, and marries Pope, his former mistress, daughter of Berenger, count of Bessin. He then declares the child he had by her, afterwards called William Longsword, his heir and successor. This is ratified with great solemnity, Berenger and Alain of Brittany, with all the Norman barons, swearing homage and fidelity to their future duke. Five years afterwards, according to Wace, Rollo died a good Christian, and was buried in the cathedral of Rouen. The two most ancient historians have not fixed the date of Rollo's death. They merely say that he lived five years after he had prevailed on his barons to recognize the rights of his son to the dukedom. Ordericus Vitalis and Robert Wace have incorrectly counted these five years from the epoch of his baptism, which would place his death in 917, but in the chronicles of Frodoard, a contemporary writer, he is frequently mentioned for ten years after this period. The truth is, that William Longsword was raised to the heritable ducal dignity in 926, and the death of Rollo took place in 931.

Such in substance and in detail is a faithful sketch of the biography of Rollo, as recorded by Robert Wace. Our readers may feel surprised that we have not made any allusion to the famous Clameur de Haro, usually attributed to this prince ; but there is not the most remote allusion to it in the Roman de Rou, and we pledge ourselves not to have omitted a single line in the whole poem, difficult and obscure as it is to comprehend. Our object has been, and will be, simply to give a true and full account of this celebrated production, and therefore we should not be justified in adding a word to the text, except in reference to interesting points of topography, so as to place the modern reader on the ancient ground where these events occurred.

Our next notice of this poem will treat of the life and exploits of William Longsword.

MONT ORGUEIL CASTLE, JERSEY.

It is always with a deep interest that I regard Mont Orgueil Castle, whether from its venerable appearance, or from its association with the past. It adds to the beauty of the landscape ; its walls are shadowed "with the mist of years," and the ivy, that friend to ruins, clings round a part of them ; while below, is the wide spread sea, sometimes reposing with the clearness and tranquillity of a lake, and, at others, dashing against the rocks in angry waves. The castle is built on an elevated rock or promontory, overhanging the sea. It was strong for the times when it was constructed, and for the kind of defence and warfare prevailing before

the invention of gunpowder. But though once strongly built and fortified, and although its walls are still massive and erect, it could not now withstand an enemy, for it is commanded by a hill, situated at no great distance, and higher than the castle, whence the balls of the battering cannon would soon effect a breach and dismantle the walls. "Grey fits the shade of power" around it; it stands like an aged sire, whose hoary locks betoken decay, and tell of days that are past; and, for that reason, it endears itself to the contemplative mind, calmly surveying and comparing the cruel ravages of one period, with the tranquillity and peace of another.

The date when the castle was first built is unknown; and although many persons attribute its erection to the Romans, under Cæsar, there are no records to guide us in forming that conclusion. It is, however, a very plausible conjecture; for, while the victorious standard of the Romans was planted in Gaul and Britain, Jersey also fell under the power of their arms. It may be regarded as a matter of honour or of reproach, that the name of Cæsarea was bestowed upon it by them, for by that name is it denominated in the Itinerary of Antoninus. If other subordinate proofs were required that Jersey was known to the Romans, they might be found in the fact, that adjoining Orgueil Castle is a spot called, from time immemorial, *le fort de Cæsar*, another near Rozel, called *le camp de Cæsar*, and, as a stronger confirmation, Roman coins have been found in various parts of this island.

While Jersey formed part of Normandy, before the conquest of England by William, it appears probable that it was subject to but few invasions, and these only by the Bretons, who were frequently at war with the Normans. But even in these times, Jersey was not without its fortification, for the castle, then called Gorey Castle, was a considerable fortress. When Normandy, during the reign of John, was overcome by the French, this island had to encounter their arms, which, although successful in the acquisition, were not so in the keeping of the island. It was afterwards exposed to frequent attacks, from its contiguity to the French coast, and from the strength of its castle, which rendered this island in the opinion of Du Guesclin, "*la retraite sûre des Anglais*." During the wars of Edward the Third, with France, the Channel Islands were invaded by the French, who were guilty of much cruelty in destroying, killing, and burning throughout the country, but who were unsuccessful in their attempts to take Orgueil Castle. This castle had afterwards to endure a siege from one of the most celebrated warriors of the day, the constable of France, Du Guesclin, who appeared before it with ten thousand men, the flower of the French chivalry. The besieged, after a brave defence, were compelled to stipulate, that they would surrender on a certain day, if, in the meantime no succours arrived. The constable's presence being required in Brittany, the seat of war, he there heard than an English fleet was at sea to relieve the castle, and his attempt consequently proved abortive.

It was in the reign of Henry the Fifth, that its present name was given to the castle, probably on account of its noble bearing and of its gallant resistance. At that time, so jealous were the English of it, that no Frenchman was allowed to enter it without being blindfolded. In the reign of Henry the Sixth, through the treachery of the governor, a partizan of Margaret, the castle and the island were given up to the French count de Maulevrier. But although thus deceived and betrayed, the inhabitants were not subdued. They rose in arms under their leaders, the chief of

whom was the seigneur de St. Ouen, who directed and guided their movements. This family had at all times been illustrious for their bravery and attachment to their sovereigns, and the present De Carteret fully sustained the character of his forefathers. The arrival of Sir Richard Harliston, in Guernsey, led to a consultation between him and De Carteret on the most effectual plans to be adopted to recover possession of the castle. To carry it by force was deemed impossible, and a blockade by sea and land was resolved upon and immediately commenced. During its continuance, several actions took place between the besiegers and besieged, in one of which the seigneur de Rozel was killed. All hopes of relief being withdrawn, and the miseries of a siege being felt, the besieged surrendered, to the no small joy of the inhabitants, who were, for the resolution and bravery which they had manifested, rewarded by a charter of privileges by Edward the Fourth.

Mont Orgueil Castle continued to be the principal fortress in the island till the reign of Elizabeth, who caused that castle to be built in St. Aubin's bay, which bears her name, and which is much better adapted for defence in the present mode of warfare. The once-famed castle became consequently neglected, so that it could make no effectual resistance to the troops of Cromwell, who, accordingly, took possession of it, as they did also of Elizabeth Castle, the garrison of which were forced to capitulate, on honourable conditions, after a protracted siege, from want of provisions and men, and from the impossibility of procuring supplies. Previously to the invasion by the parliamentary forces, Charles the Second sojourned in this island for the space of two months, and a room is shewn in Orgueil Castle which he occupied.

Although the governors of the island have usually enjoyed the whole of its royal revenues, it was not always without their having some burdensome charges to defray. Among these, the garrison of Mont Orgueil Castle may be enumerated, for they were formerly paid by the governors. At other times a stated sum was deducted from their revenues, for this and other purposes. In the absence of the governors from the island, the seigneur de St. Ouen, who holds by homage the first fief in the island, had the command; but since the troops here have been paid by the English government, the oldest military officer on service on this island, replaces the governor or lieutenant-governor, during his absence.

According to an article in the extent, every inhabitant in the island owed annually one day's work to the castle, which was to be performed at a time fixed upon by the governor; but which might be avoided by the payment of three sols and a half,—a singular instance of the low price of labour in those days. This custom was also in accordance with the spirit, and perhaps with the poverty, of the times, when personal service was almost the only tax which could be raised, or which the people could pay.

Besides this day's work which was due by every inhabitant, the governor could only require the labour of all those whose health and strength permitted it, for the reparations of the castle or its outworks, on paying reasonable wages for the same: and, according to the feudal constitutions and the tenure of their lands, every seigneur who held directly from the king, or whose fief was noble, was to be ready at all times to defend the castle and the island, when called upon by the governor.

Many precautions appear to have been taken that the inhabitants might not be disturbed by the garrison. The governor was to be careful in the

selection of them, they were to swear to be faithful to the king, and his heirs, and were amenable at law for any injury which they might commit against any of his Majesty's subjects; and, in order to guard more effectually against any violation which might arise from the soldiers being under the necessity of going about the country to seek for and purchase their provisions, there is an article in the charter of Henry the Seventh, which provides, that, on every Friday, a market should be held near the castle, where all sorts of provisions and other necessities, for the captain and soldiers of the castle, should be sold, at a price usual in former times, or at such as the justices should order and think reasonable. Commerce at those times had not grown into a system, from its limited extent; there was not that division of labour nor of employments, which has since contributed so largely to production, and to the wealth and comforts of the community. Rapine and exaction, which probably here took place as elsewhere, retarded production, and conduced to high prices of commodities, the value of which it was, and has always been, futile in governments to endeavour to regulate; for their relative value depends on circumstances, not in the power of government to control.

There is a custom attaching itself to Orgueil Castle, which is deserving of notice, as its origin is not generally known: I allude to the annual visits which are paid to it on Easter Monday, which are accompanied by dancing and rejoicing. We may have remarked that national customs often continue, even when the objects for which they were first established have ceased to exist, and when their origin, intent, and purpose, are forgotten and unknown. There is a clinging to old customs inherent in the human mind; and, however this feeling may be taunted as prejudice, there can be no doubt that it is sometimes productive of useful results, when confined within reasonable limits. At times, however, it is injurious; and the only antidote to it is knowledge, which, by supplying the mind with materials for judging, enables it to distinguish that which is hurtful or of evil influence to society, from that which is innocent in itself and that which tends to cement the bonds of society, and to strengthen the best feelings of human nature.

Mont Orgueil Castle is no longer visited on Easter Monday for the same purpose as it was originally on St. George's day. It is now a visit of pleasure,—it was then a religious ceremony. A practice of visiting the shrines of holy men, or places of sacred and religious interest, grew in the Roman Catholic church, and became a part of its duties. It was believed to increase religious feelings and religious zeal, and to rekindle devotion, always, as was supposed, ready to droop, unless revived by external aids, and the remembrance of good and holy men. This custom also prevailed in Jersey, which doubtless, as Ireland, should have merited the appellation of the Sacred Isle, if we are to judge by the number of religious institutions, churches, and chapels, which it contained. The vows of the people were annually paid at the shrine of St. George, in the chapel dedicated to him in Mont Orgueil Castle, on the day consecrated to him; and it appears that government occasionally felt some uneasiness at this practice, for, in the charter of Henry the Seventh, is an article enjoining the governor to prevent the people from entering the castle on that day, as they were accustomed to do, and usually not to give admittance to a greater number than the garrison could easily manage and turn out.

A solitary soldier now constitutes the garrison. The greater part of the interior of Mont Orgueil Castle is in ruins; and the wind whistles

through many a deserted room, and through its desolate and roofless halls. The chapel of St. George has disappeared, but its crypt, or a part of it, still remains, which, till lately, was nearly filled with rubbish, and the entrance to it was through a hole in the roof. The prisons, where many an unfortunate being has been immured previous to his execution, are still gloomy, though the roofs have crumbled away. What must they have been at the time when the castle rejoiced in its vigour! They are circumscribed, lofty, and dark; not a ray of light could find admittance there, unless it were through a crevice in the top: even the seat of judgment is exposed to the clouds of heaven. It may be remarked,* as a singular circumstance, though not I hope as an evidence of summary injustice, that the court was distant from the prison but a few paces, and the gallows were adjoining the court.* We cannot say that cruelty and injustice here reigned, for there is no proof of this, though the court was so small as hardly to contain a dozen persons, and the gallows were so near; for, what is a palliative if not an effectual restraint, the governor of the castle, and even the guardian of the prison, were sworn to respect and maintain the privileges of the island. It does not enter into my subject to dilate upon the jurisdiction of the time, but it was rude, imperfect, and irregular.

On bidding farewell to this "Child of loud-throated War," we may exclaim in the words of one of our English bards:

"Thy hour of rest
Is come, and thou art silent in thy age."

L Q.

* It may be objected to me here, that the condemned were executed outside the castle: that may be; but it does not do away with the possibility, nay, even the probability, of executions sometimes taking place here, for this has long been held as a common opinion, and there are traces here of a single beam across, from wall to wall, in a situation where there appears to be no necessity for one, for any other purpose than that mentioned.

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.—No. 3.

(Continued from page 177.)

ON the death of Elizabeth, James the First succeeded to the quiet possession of a crown and kingdom, undisturbed by intestine feuds, and free from foreign war. A literary pedagogue, possessed undoubtedly of some learning, but of narrow views and feeble judgment, he displayed the qualities rather of a scholastic bookworm, than the enterprize or spirit of a monarch. He had the singular felicity of retaining his dominions in peace, though he asserted a prerogative which his unhappy son Charles, fatally for himself, endeavoured to push to a despotic extremity.

The states of Guernsey sent a deputation to congratulate him on his accession to the throne, and at the same time presented a memorial, craving of his Majesty to confirm our privileges; and having ordered them to be examined by persons well versed in our laws and constitution, he ratified them by his royal charter, dated the 15th June, in the third year of his reign. *Inter alia*, this charter confirmed the authority of the royal court to levy the *petite coutume* for the maintenance of our pier, and for other public works, in perpetuity, not only on commodities imported into the island by strangers, but even on those of our own growth and manufacture: the former grants were limited to a period of years.

On some disputes between the governor and the court, concerning their respective rights, the king issued an order to repress all arbitrary proceedings, allowing the military governor no further command than was consist-

ent with our constitution; but their dissensions still continuing, and two parties being formed among the public, his Majesty, on the 25th of July, 1607, appointed royal commissioners, and empowered them to judge and finally determine all disputes between the inhabitants, the court, and the governor, both in Guernsey and Jersey.

At king James's accession, the people of both islands followed the discipline of the church of Geneva, which, in the preceding reign, had been countenanced by Sir Amias Paulet and Sir Thomas Leighton, the respective governors of Jersey and Guernsey, but on the death of Paulet, the Liturgy was introduced at Jersey in all their churches: but Leighton still upheld Presbyterianism in Guernsey. However, under this pacific reign, the islands enjoyed the same tranquillity as under that of Elizabeth.

But the scene was clouded under the reign of Charles, and both the islands took a prominent part in the civil war, Jersey adhering to the king, and Guernsey to the parliament; but before we enter on the subject, as it more particularly applies to the islands, we must be permitted to indulge in a few remarks of a more general character, as this rebellion was, in most respects, according to our views at least, of a decidedly religious complexion.

The unhappy marriage of Charles to Henrietta, sister to the French king, alarmed the nation with the fears of popery. The articles of the marriage contract certainly justified these apprehensions, and we shall transcribe some of them which bear on this point.

1st.—The queen shall freely profess the Roman Catholic religion, together with all her retinue, as well as the children procreated from this marriage.

2nd.—She shall have a chapel in all the royal palaces of Great Britain where she may reside, the services to be therein performed, according to the tenets of the Roman Catholic church.

3rd.—She shall be allowed a bishop of her own appointment, who shall have a right of jurisdiction, in religious matters, over all ecclesiastics committed to his charge.

4th.—She shall be allowed twenty priests for her private devotions.

5th.—The king (James) and the prince (Charles) shall oblige themselves on oath not to induce the queen, in any manner whatsoever, to change her religion, nor to encourage any thing that may have that tendency.

6th.—That all the queen's household be French Roman Catholics, appointed by the most Christian king; and, moreover, that the English Roman Catholics shall be no more molested in their religion, and that all those who may have had their effects seized, be indemnified.

These conditions were deemed the foundation of a plot, formed by the king of France, to spread the Roman Catholic religion throughout Great Britain, and as the queen was accompanied from France by one hundred and twenty confidential attendants, it was feared the French government would gain an ascendancy over the English ministers, and obtain secret intelligence of all matters of state. In short, these articles, and some others, contrary to the spirit of the English constitution, so worked upon the popular mind, that a war ensued between the two nations. The duke of Buckingham made a descent on the isle of Rhé, from which he was repulsed with tarnished honour, and severe loss; and the king of France then determined to retaliate, and made preparations to attack the Channel Islands.

The earl of Danby, then governor of Guernsey, represented to the king the necessity of sending a squadron of ships of war for the protection of Guernsey and Jersey; not only for their protection, but also to annoy and ruin the great trade carried on by the French to and from St. Malo, Granville, Havre, and other sea ports on the adjacent coasts. In this recommendation his Majesty acquiesced, and he issued his mandate for its accomplishment. Accordingly, Lord Conway, then secretary of state, addressed a letter to the bailiff and jurats, dated the 18th of August, 1627, in which he assured them, in the king's name, that his Majesty would continue his gracious protection, as his ancestors had done, "as he greatly esteemed that

portion of his inheritance, and the unspotted faith and duty of his subjects in these islands."

In the very same year our charters were again confirmed, and a large quantity of provisions, of different sorts, permitted to be imported from England, for the use of the island and castle. A treaty of peace was concluded in 1629, on which the islanders thought themselves once more secure. Nothing remarkable occurred for some years in relation to these islands; but in 1637, the celebrated martyrs to liberty, William Prynne and Henry Burton, sentenced by the infernal court of Star Chamber, (in which that protector of rascals, the law of political libel originated,) to have their ears cut off for publishing books against the bishops, were sent over as prisoners to these islands: Prynne to Mont Orgueil Castle, in Jersey, and Burton to Castle Cornet, in Guernsey.

Mr. Falle seems proud of recording the loyalty of the Jersey men in adhering to Charles during the civil war, and somewhat invidiously censures the Guernsey men for siding with the parliament. He extols Sir George Carteret to the skies, and he has been followed by most writers in this encomiastic style. We freely admit that Sir George behaved with zeal, gallantry, and devotion; but we do not think that he espoused the royal cause purely from patriotism, but to preserve the enormous authority that he had usurped in the island, and which he feared would be curtailed, should the parliament gain the ascendancy in the approaching struggle. Mr. Falle thus writes of his hero: "Captain Carteret, (afterwards Sir George,) comptroller of his Majesty's navy, was a man, says Lord Clarendon, of great eminency and reputation in naval command. He stood so well in the opinion even of the parliament, for true honour, courage, and abilities, that when they committed the fleet to the earl of Warwick in opposition to the king, the two houses had cast their eyes upon him for vice-admiral. But he knew better what became him than to accept an employment from them, unless the king had judged it expedient for his service. Unhappily, his Majesty did not judge it such, nor would consent that one of his servants should so far countenance their undutiful proceedings as to be any ways concerned with them, which the noble historian laments as a most fatal error. For, to use his own words, if Captain Carteret had been suffered to have taken that charge, his interest and reputation in the navy was so great, and his diligence and dexterity in command so eminent, that it was generally believed he would, against whatsoever the earl of Warwick could have done, have preserved a major part of the fleet in their duty to the king. Upon this, Sir George withdrew himself with his family to Jersey, and, being well assured of the hearty concurrence of the inhabitants, declared for his Majesty."

This panegyric only requires one additional ingredient, to wit, truth: but that is wanting. Sir Philip Carteret, when lieutenant-governor of Jersey, frequently went over to England, and thus so strengthened his private interests by constantly attending at the court, that he procured for his friends and relatives almost a complete monopoly of all the local authority in the island. He was also bailiff, and lord of several fiefs, and owner of many considerable estates. His government became so arbitrary, that the states lodged a complaint against him before parliament, in 1642, and this had as much influence on the conduct of the whole family of the Carterets as their loyalty. Mr. Falle has not had the candour to notice this fact, but we shall now recite the articles of this "*plainte des griefs*" at full length, as they will show what really was the state of public opinion at the time.

"That the personal residence of a governor, well qualified in a frontier place, is most requisite for his Majesty's service and the security of the island.

"That Sir Philip Carteret, the now deputy of Sir Thomas Germain, a man altogether inexperienced in the militia discipline, has lately, in his absence, substituted a nephew of his into that office, of about twenty-three years of age; and that last summer he committed that charge to his eldest

son, scarcely twenty-one, unfit to be entrusted with a place so important, in reference to the militia, and the defence of the country.

"That the non-residence of the governor, the same now living in England, does not only impoverish the island, but furthermore, one of the best rank cannot perform the personal services that he owes to the country, with that attendance of men and furniture of arms, as he is bound unto; but all is contracted and reduced under one single family.

"That, for the avoidance of sundry inconveniences and jealousies, it is the general desire of the inhabitants, that the deputy be a native of England, as was ordered by king Henry the Seventh, upon a survey of this isle, and a man of sufficient ability to command or order within or without the castles, and to that intent, this sufficiency is expressed in all the patents of the governors.

"That Sir Philip Carteret, the now deputy, bears offices incompatible with a due administration of justice, he being deputy governor, bailiff, and farmer of the king's revenues, escheats, forfeitures, and fines, and thus becomes both judge and party.

"That the said Sir Philip Carteret entrusts with all the chief places and offices those of his name and family, the island consisting of twelve parishes, in which seven Carterets are captains, besides two of his nephews, and a brother-in-law is his own servant, being porter of the great castle of Mont Orgueil.

"That he procures the nomination and election of his own kindred to the judicature on the bench and court of justice by letters and messengers, when the parishes, by order of the court, are commanded to proceed to the election of a jurat by the votes of the people.

"That he has opposed the free election of the ablest men that were named by the votes of the country, according to their privileges.

"That he makes himself formidable by his violent carriage and threats on the seat of justice, against those magistrates and others who differ from him in opinion, menacing them, in fearful terms, with his revenge, and that of his relatives in open court.

"That he has presumed of his own head to raise customs and imposts unheard of upon goods imported into the island, against the liberties and charters of the isle.

"That, since he has been lieutenant-governor, he has oppressed the people by setting at a high rate the licenses for exportation out of England of those commodities which are granted by warrants and patents, as of wool, leather, and sea coal, those commodities being now raised to an excessive price, even to the beggary of the country.

"That he keeps no resident ministers for the service of God in the castles, as has been the practice of former governors, and prescribed by the orders of the lords of the council; but supplies their deficiency by taking away some of the rectors from their own parishes on Sabbath days.

"That, without form of justice, or judicial hearing, he has commanded some gentlemen of the best rank in the isle to appear before the lords within forty days, and upon their appearance, he had never moved any prosecution about the cause of their appearance.

"That, with an arbitrary power and subversion of the laws, he does both release out of prison, without consent or act of the court, those that are committed there by judicial sentence; and sometimes, by his own private authority, either as governor or bailiff, he commits to prison, against the express words of our privileges.

"That he has hitherto given no account in the isle of the great sums of money received by him out of the exchequer or treasury, as appears by a true copy dated 1628, he then being captain, where he charges £3,160 for billeting one hundred soldiers. Some small portions he has paid, when it pleased him, and to prevent his accounting for the said money, he has taken an acquittance of the constables to show that he has disbursed the amount out of his own pocket, and left a bond for that which is due in their hands:

and nobody here dares to undertake the prosecution of this business or of other grievances against him, for fear of his power and revenge.

"That some contracts have been made in the castles between some prisoners and some of his relatives to obtain pardon for crimes of false coining, and clipping of French and Spanish coin, part of the bribe being paid down in cash, and the remainder being secured by a bond left in the hands of the porter of the castle.

"That, against our customs and to the great discontent of the people, he has frequently sheltered in the castle some gentlemen of great quality, fled out of France, and prosecuted there for high treason, which is contrary to formal injunctions concerning strangers, who are inadmissible into any of the fortresses of the isle.

"That some individuals have been admitted into the magistracy without due election, or by the votes of the country and jurats, against whom also there are many serious objections; and they ought to be removed.

"That he has procured out of his own head the alteration of some of our laws and customs, against the consent of the states.

"That he sets an excessive price upon the rents due to his Majesty without the advice of the jurats, as the former course has been.

"That when the said Sir Philip Carteret was here, and had knowledge that these articles were presented to the honourable house of commons, he did subtly procure letters to be written unto him of false intelligence, whereby mention was made that this island stood then in danger of invasion, and therefore that his presence there was necessary; but this false intelligence was manufactured for fear of the touchstone of the law; and now he is in Jersey where he procures certificates on his behalf, with which he pretends to clear himself, subscribed by some of the jurats of his kindred, and others of the inhabitants who dare not refuse him, he being absolute in this island, so far removed from the eyes of the English government."

Now, the substance of this complaint clearly shows that Carteret was as complete a despot as ever breathed, and all his sympathies were in unison with those of the king, who had the most extravagant notions of the royal prerogative. Carteret dreaded being brought before the parliament to account for his tyranny and extortion, and therefore espoused the party most likely to screen himself from punishment.

When the civil war broke out, Sir Peter Osborn was lieutenant-governor of Guernsey. He held out for the king, and fortified himself in Castle Cornet. On the 2nd of February, 1642, a meeting was held between seven and eight o'clock in the evening, at the house of Jean Fautrart, lieutenant-bailiff, which was attended by Peter de Beauvoir, seigneur des Granges, and Thomas Carey, jurats, to hear the deposition of Henry de la Marche, one of the constables of the town parish. He reported that Captain George Carteret had arrived about mid-day from the west of England, with arms and ammunition of war, which he intended to employ to the injury of the nation, and that he (the constable) suspected that Carteret was going to France to procure more, from all the information that he had received. He further stated that Carteret was in Castle Cornet with Sir Peter Osborn.

On receiving this information, the three magistrates named above, resolved to send the constable and the king's sheriff to Jean de Quetteville, the bailiff, to obtain his advice. On their arrival, the bailiff refused to enter into the merits or particulars of the case, simply observing, that if they applied to him for an order to arrest Carteret, he would grant it. When they returned to the house of Jean Fautrart with this message, the jurats were highly displeased at this apathy and indifference to the public service, and they ordered the sheriff to repair to Castle Cornet, and deliver their command to Sir Peter Osborn, to give up the person of Carteret. The sheriff returned at nine o'clock, and reported that he had seen Sir Peter Osborn and Carteret, and put into the hands of the former the deposition of Henry De La Marche, the constable; that the lieutenant-governor opened it, read it, but gave him no answer, although he produced his commission, as sheriff, and the orders of the jurats.

On the 11th of March, 1642, the court assembled, there being present, John de Quetteville, jun., bailiff, John Bonamy, James Guille, Peter de Beauvoir, Josias Le Marchant, (du Houmet,) Thomas Carey, Michael de Saumarez, John Brehaut, and John Carey, jurats.

The bailiff stated that he had convened them, in consequence of the receipt of an order from the lords of the parliament of England, tending to the good of his Majesty's service, the interests of the parliament, and the conservation of the island; which order he was commanded to communicate to Sir Peter Osborn, knight, the lieutenant-governor, to the court, and to the states of the island: that he had already forwarded it to Sir Peter Osborn, but had had no satisfactory answer. On this point he requested the advice of the court. After the matter was taken into consideration, the sheriff was ordered to wait on the lieutenant-governor, and desire him, in the name of the court, to have the states convened on Wednesday next, to take the parliamentary order into consideration.

On the return of the sheriff, he reported that he had been to the castle to deliver the message of the court: that at the great gate, he had met the portier and three soldiers, whom he desired to make known to his excellency the purport of his errand. The portier soon came back, and said that he did not believe that he, (the sheriff,) had been sent by the bailiff and jurats, no more than he had been on the former occasion, when he pretended to be authorized, and coined a falsehood. On this the sheriff showed the portier his written instructions, and desired him again to announce his presence to his excellency. The portier demanded that they should be read to him, which the sheriff refused, having no such authority. The portier then went a second time, and, on his return, asked in what place, and before what jurats, the sheriff received his instructions. He answered, at the court-house, and before all the jurats. On this, the portier said, that if the court desired to make him any communication, they must send one of their own members.

At this time there was no governor, and it was clear that Sir Peter Osborn would not yield to the power of the law. On the 22d March, 1642, this state of things was altered by an instrument forwarded from the committee of the lords and commons appointed to watch over the safety of the kingdom. The following is an exact copy of the original: "By virtue of an ordinance of both houses of parliament, we do constitute and appoint Peter de Beauvoir, des Granges, James Havilland, John de Quetteville, jun., Peter Carey, jun., Joshua Gosselin, James Le Marchant, Eleazar Le Marchant, Thomas Dobrée, Henry de la Marche, Peter Beauvoir, du Bosq, John Renouf, and Andrew Monamy, or any six or more of them, to command and to govern the island of Guernsey, and the castle there, as likewise the two adjacent isles of Alderney and Serk, belonging thereunto, and to execute all authority and power necessary for the defence, government, and custody of the said islands, to the use of the king's Majesty, according to the laws and customs in force in that island, and according to the instructions thereunto annexed, strictly charging and requiring the bailiff, and all other officers in that island, as likewise all captains, commanders of forts, or ships, and all others, his Majesty's officers and loving subjects there residing, or who may reside therein, or may repair to the said island of Guernsey, to be obedient, aiding and assisting the said Peter Beauvoir, and the rest before named in the execution of their commission; and for so doing, this shall be their sufficient warrant. (Signed,) W. Say and Sele, Bolingbroke, Gill, Gerard, John Pym, Henry Martin.

Accompanying this commission, were forwarded the following instructions for the observance of Peter Beauvoir and his colleagues.

1.—You shall seize upon the person of Sir Peter Osborn, knight, deputy governor of the island of Guernsey, and upon the castle now in his custody: and you shall send him under a safe escort to the parliament, to answer such offences, contempts, and other misdemeanours, as shall be objected against him.

2.—You shall take into your custody, by inventory, all money, plate, and other goods, belonging to the said Sir Peter Osborn, and keep the same till further directions be given by this committee or by parliament.

3.—You shall appoint one, or more, captain and commander-in-chief, and other subordinate officers over all the trained bands of the said island, who shall lead, conduct, and exercise the soldiers, according to the discipline of war.

4.—You shall, by force of arms, take into your possession the castle, and fight with, kill, and slay all that make any resistance to you in the execution of this commission, and shall keep the same castle to the use of the king and kingdom of England.

5.—You shall oppose and suppress all forces which shall arrive in the same island, without authority and consent of both houses of parliament.

6.—You shall further and assist all ships which shall be sent by authority of both houses of parliament, for the defence of the said island, and guarding of the seas, and protection of his Majesty's good subjects in those parts.

7.—You shall seize upon the persons and estates of all such as stand in defence of the said Peter Osborn, and all others that have made, or shall make, war against the parliament.

8.—You shall seize upon all ships, barks, and all goods and provisions which shall be employed for the relief of the said castle, island, or fort, being in actual war against the parliament, or the property of those who have in any manner aided or assisted those who were, or are, in such actual war.

9.—You shall collect the rents, and other profits, belonging to the governor of the said island, and shall employ the same for the defence thereof, and other public charges.

10.—You shall, from time to time, advertize both houses of parliament, or this committee, of your proceedings, and execute such further instructions as you shall receive from them.

11.—You shall grant and dispose all such licences for transporting any commodities for the relief and supply of the island, out of the kingdom of England, as by law, are warranted in such manner as shall stand with justice, and due respect to the good of the said island, and the inhabitants thereof.

These instructions were signed by the same persons who attested the commission, so that there is no occasion to rewrite their names in this place.

In obedience to their directions, the commissioners made some attempts to seize Sir Peter Osborn, and get possession of the castle, though they had recourse rather to negotiation than to force of arms: but the governor would not listen to any accommodation, he having threatened to batter down the town, and having actually fired several cannon, to the great terror of the inhabitants, as it appears from the following letter written by the commissioners to the parliamentary committee.

"May it please your honours; your orders for this island have been communicated to us by Mr. John Quetteville, your messenger, and we have tried the best means we could to help him in the execution of the same; but we could not take the person of Sir Peter Osborn, though the people assembled and declared upon oath to stand for the king and parliament; for he keeps himself strong in the castle, daily adding to its fortifications. After the publication of your order, we deputed the king's attorney to carry to the lieutenant-governor a copy of the same, and require his obedience to the articles it contained; but he returned for answer, that he would not look at any order or command issued by the parliament; and he, moreover, enjoined us to aid him against the parliament, and to call on all the inhabitants publicly, to declare that, in case any forces should be sent hither, they would aid him in their repulse, threatening that in case we did not yield to his authority, he would batter and destroy our town with his guns, which menaces he and his people continue daily to carry into effect, to the great terror of our inhabitants, having already shot several pieces of heavy ord-

nance over the town, which has caused the most part of the people to forsake their houses, and retreat into the country. We cannot expect any more messages from the said Peter, who obstructs all shipping from entering into, or sailing out of our harbour, even the fishing boats. Nor will he allow strangers to go to sea; and if this blockade continues, it will be the utter undoing of the inhabitants of this island."

The king being apprised of all the measures taken by the parliament in reference to this island, wrote a letter addressed to the earl of Danby, the former governor, the bailiff and jurats,—thus directed: "To our right trusty and right well-beloved cousin and counsellor, Henry, earl of Danby, governor of the island of Guernsey, and to his lieutenant there, and to our trusty and well-beloved the bailiff and jurats of the island, and every one of them: Charles Rex, right trusty and well beloved cousin and counsellor, and well-beloved bailiff and jurats, we greet you well: the great distractions and calamities which this our kingdom of England now suffers by the falsehood and disloyalty of some factious and ambitious spirits, who have dispersed untruths of our person and government, make me anxious to prevent the like in other parts of my dominions; and, understanding that this ill spirit, now brought upon our kingdom, begins to be hearkened to in our island of Guernsey, and chiefly upon a false report supposed to have been raised by one Monsieur Des Granges, whom we have known under a better character: and hearing also that our present governor, the earl of Danby, is put out of that charge, and the lord viscount Scudamore installed into that office, in consequence of which many of our subjects there begin to cast off their subjection and obedience, not only to him and his deputies, who are our royal lieutenants, but even to the law of the island: this information has moved us to write these our letters, and direct them jointly to you, both our governor, and deputy, and bailiff and jurats, strictly requiring you that you make known unto our loyal subjects, in that our island, that as we ever have had most special care to preserve the Protestant profession of the Christian religion, with your ancient government amongst you, your liberties, persons, and properties, as settled by the laws and customs of your island, so we shall ever preserve them from all innovations or alterations whatsoever, whereby you may enjoy the blessings of tranquillity under us, as heretofore under our predecessors. But in case you find any particular person (for we have had of late too much experience of those spirits) shall cast off personally, this our just command and authority, you, the bailiff and jurats, are to apprehend and closely imprison such offenders, and proceed against them with expedition and severity, according to the laws: and upon any insurrection or other act of disloyalty, we require you, our governor and deputy, by your martial power, to subdue such persons as shall rise against our authority by any traitorous attempt; and we expect, that both you, our governors, and you, our magistrates, will take such care, and give such mutual assistance to each other, as may preserve your peace and the loyalty of the island, which we have always, and so much, desired; knowing how much it imports that no advantage be given to the designs of foreigners by faction; of this we expect you will give us a speedy account, and for so doing, these our letters shall be to you, or any of you, a sufficient warrant.

"Given at our court of Oxford, this ninth day of December, the eighteenth year of our reign."

Notwithstanding this promise of the king not to permit any changes in the Protestant faith, his notorious insincerity was so well understood, that no clear-sighted man placed the slightest confidence in his declarations. The inhabitants of Guernsey felt the same distrust of him, as the people of England: and one strong proof of their alarm, and that of the parliament, is contained in the following letter written to the Guernsey commissioners, by the earl of Warwick, high admiral of England, who was earnestly soliciting the committee of safety to send them over guns and other assistance. The following is a copy. "You may think it long that you have not guns and help from us here, but I assure you that it is not my fault, for I have written

orders divers times to the committee of safety about it. Here they have signed a warrant for the governor, and have also commanded one in chief to come and assist you. I shall leave my ships with you until the parliament commands me to call them away, though I believe the largest ships can do you little service there, but any assistance that I can give you, I shall be very ready, and would be with you myself if it were not for the place I hold, and so bid you heartily farewell, and remain your assured friend, Warwick. 22d March, 1643."

It appears from this letter, that the earl was of opinion, that large ships were not required here at that time: from which it may be inferred, that the parliament had no intention of bombarding the castle, but merely wished to protect our trade, and prevent any supplies being sent from abroad to the relief of Sir Peter Osborn, that he might be compelled to surrender. The warrant alluded to in the letter, as having been signed by the committee of safety, was the commission of lord Scudamore to act as governor, mentioned in the letter from king Charles to the earl of Danby. He never appears to have acted in that capacity; and, indeed, the commander-in-chief, appointed to come over here, was Robert Russel, who was styled lieutenant-governor, under the command of the earl of Warwick, who received the following parliamentary instructions for the government of Guernsey and Jersey:

"To Robert, earl of Warwick.

You shall take care that the Protestant religion be preserved and maintained in the said islands, and that the churches in the said islands be governed according to their ancient customs and privileges.

You shall be careful that justice be well administered according to the laws and customs there used and established, and that all the inhabitants be maintained in their lawful rights and liberties.

You shall do your best to preserve the peace of the said islands and inhabitants, under the protection of the crown and parliament of England, and, by force of arms, suppress all tumults and insurrections and seditions, and likewise to resist and repulse all invasions and depredations either by sea or land, and to withstand all forces and authority whatsoever to be used or exercised in those islands without the consent of both houses of parliament.

You shall apprehend the person of Sir Philip Carteret, knight, late captain-governor of the isle of Jersey, and Sir Peter Osborn, knight, late deputy-governor of the island of Guernsey, as likewise all their adherents, confederates, and abettors, and shall send them in safe custody to the parliament, there to answer for the treasons, felonies, robberies, oppressions, and other heinous crimes, by them committed against the crown and kingdom of England, and against his Majesty's good subjects, and the inhabitants of the said islands.

You shall strictly prohibit and restrain the inhabitants of the said islands from giving any aid or assistance to the rebels of the county of Cornwall, or any others in actual war now against the parliament, or from holding any commerce, intelligence, or correspondence with them.

You shall seize upon all castles or forts held by Sir Philip de Carteret, Sir Peter Osborn, or any of their adherents, or by any other persons without the consent of both houses of Parliament, as likewise upon all monies, plate, jewels, ammunition, ordnance, lands, tenements, and all other goods whatsoever, belonging to those who shall oppose you, or the deputy-lieutenants or others employed by you in the execution of this commission and these instructions; of all which you are to cause perfect inventories and accounts to be drawn up and safely preserved from spoil or embezzlement, until the two houses of parliament shall have given you further directions.

You shall appoint some fit officers who may be careful of all ordnance, arms, ammunition, or other provisions, which shall be issued for the preservation and defence of the island, that they may be employed and expended without waste, and a good account thereof made in such manner, as shall be appointed by both houses of parliament.

You shall give instructions to the several deputies and lieutenants in all particulars above mentioned, together with such other instructions as you, in your wisdom and according to the trust reposed in you, shall think needful for the defence and government of the said islands: and you, your lieutenants and deputies, shall receive further advices from time to time, from the two houses of parliament.

(Signed) Danby, Manchester, John Ryon, Antony Nicoll.

Dated the 22nd June, 1643."

Notwithstanding these measures, and the great responsibility reposed in the earl of Warwick, the inhabitants of Guernsey were left defenceless, and without ships to protect their trade from the cannon of the castle, which received constant supplies from England and France, both of provisions and ammunition. Sir Peter Osborn was resolute and faithful to the royal cause, and fired his guns into the town, to the great terror and damage of the inhabitants. The following certificate and order of the court on this subject possess some local interest, as they show the state of operations then carried on.

"We the undersigned have viewed the ruins happened to the house of Peter Carey, by the shooting and battering which Sir Peter Osborn, knight, has made against it with his ordnance from the castle. And we find that the said Carey is already damnified in his said house, fifty pounds sterling, besides the loss that he has sustained by the vacancy of his said house. This 1st day of March, 1643. (Signed) Henry Le Marchant, William Burneface, and Peter La Miere, his + mark."

This matter was deemed of sufficient importance to be brought before the court, who came to the following decision.

"Before us, judge delegate, and jurats of the island of Guernsey, have appeared Henry Le Marchant, William Burneface, and Peter Le Miere, carpenters, who have presented to us a certificate of the ruins happened to the house in partnership between Peter Carey, in the right of his wife, and Zachariah Bertram, whereof we are eye witnesses." Then follows the certificate. "We have viewed the ruins happened to the house in partnership between Peter Carey, in right of his wife, and Zachariah Bertram, by the shooting and battering which Sir Peter Osborn, knight, has, for a long continuance of time, made against it with his ordnance from the castle, and we find that the said Carey is already damnified in his part of two hundred pounds sterling, and the said Bertram in his part of thirty pounds sterling; besides the loss they have sustained by the vacancy of their said house. This 1st day of March, 1643. In witness whereof, the seal of this island is here affixed, this 22nd April, 1644. Present, John Bonamy, judge delegate, James Guille and Michael Saumarez, jurats."

From the following letter addressed by the earl of Warwick. "To the states assembled in the island of Guernsey," dated the 2nd of January, 1643, it appears that the courage of the Guernseymen began to quail before the attacks of Sir Peter Osborn, for the admiral writes in terms of severe reproach.

"Gentlemen, I am something amazed after so long patience and such good evidences given of your affection for the maintaining of so just a cause; I say I am amazed you should grow remiss and seem to neglect and draw back, as if it were an indifferent or dangerous thing to defend yourselves, your liberties, and your properties, and what is of greater consequence, your religion and the purity thereof, against tailors, atheists, papists, and the like, who have, and daily do labour to enthrall our liberties and religion, and to bring us into slavery by themselves, and to the devil by the darkness of errors and pernicious heresies, wherewith they obfuscate the Christian air we live in. If this be the main design in this kingdom, think you that you can escape? But if this will not work upon you, what a shame, what a reproach will it be for you and your posterity, after having begun so well, and showed the way to Jersey, and having suffered longer than they, with loss of your houses, and such boldness as has made you odious to your enemies, if you now yield to those enemies, after so many protestations, and humble petitions, made to the high and honourable court of parliament, and after receiving such favourable orders, provisions, supplies of all sorts, and expences from them and this kingdom: will you now make yourselves ridiculous to your enemies, and be guilty of so foul an apostacy? Consider what I have done for you? Do you think to subvert against the authority of parliament and the power of this kingdom? Certainly, if you attempt this, you will repent too late; but I hope better things from you. I advise and exhort you, therefore, to unite yourselves one with the other, and with my lieutenants in all your councils and endeavours, and judge by what I have already done, what I will continue to do,

if God permits it, and when the time of the year is favourable, unless you be wanting to yourselves. And so praying God to encrease and strengthen your valour and resolution, as may be for his glory, and your own good, with my kind salutations to you all, I rest, your very assured friend,
Warwick."

This letter seems to have produced the desired effect, for Guernsey stood firm for the parliament. Not being able, however, to reduce the castle by force of arms, the parliamentary deputies ordered the following summons to be sent to Sir Peter Osborn :

"Sir,—I, the undersigned, lieutenant-governor of Guernsey, and the islands dependent upon it, under the command of the Right Honorable Robert, earl of Warwick, lord high admiral of England, with the captains undernamed, having received commissions for their and other ships to abide on these coasts constantly ; we have thought fit to signify to you, that lately an ordonnance by both houses of parliament is set forth to all lords, gentlemen, and others, of whatever quality they may be, who have stood in opposition to them, but who now shall come in before the 1st of March next, and declare themselves for the parliament, that then all their goods, lands, and annuities which are sequestered, shall be wholly restored to them. But whoever shall refuse this honourable proffer, must never expect the like mercy after the day prefixed, but all their goods, lands, and annuities, shall be sold for the parliament's use. Divers lords and gentlemen have wisely laid hold on this mercy, now putting forth their declarations by what means they were seduced.

"We now offer this unto you, and shall see it loyally performed, that you shall have liberty safely to depart with all your officers and all things appertaining to yourself and to them for England, or elsewhere. This denied, believe us, you will never obtain the like. Upon surrender of the castle, we will engage our faith in the performance. If you desire to treat with us, giving your faith for safe conduct, one of us will come to you. Desiring your speedy answer by the bearer of this unto your loving friends. (Signed) Robert Russell, lieutenant-governor, William Thomas, John Black, Reeve Williams, Joseph Jordan, Thomas Blunkett, captains. Dated, Guernsey, 22d February, 1643."

To this letter the doughty Sir Peter sent the following reply :

"Gentlemen,—Far be from me that mean condition to forfeit my reputation to save an estate, that were it much more than it is not, would be of too light consideration to come in balance with my fidelity, and in a cause so honourable, where is no shame in becoming poor, or hazard in meeting death. Example is not always a safe rule. Precedents must be clear of exceptions. The reason which I gave to a former communication for the resolution which I must still hold, will acquit me of being seduced, whosoever has the weakness to be so. I can make no such declaration, for I have weighed my grounds, and know them true, and shall let you know that nothing, by the grace of God, can work change in me. When I fall so low as to desire a treaty, it will be in your power to refuse me what you please, but, in the mean time, I entreat you to consider against whom you serve, and for whom,—against your lawful and gracious king, and for these islanders, faithless and unthankful : let those who lead you mislead you no longer, but return to your ligeance, which I wish you may do though it be late and without merit, promising you my best assistance to make your peace for you all to your best advantage, as your true-hearted countryman and loving friend. (Signed) Peter Osborn, lieutenant-governor. Dated, Castle Cornet, 23d February, 1643."

All hope of an amicable negotiation thus fell to the ground, and partial hostilities continued between the two parties with little or no interruption. But after the lapse of some months, the Guernsese again found themselves reduced to extremities, and addressed the following letter to Lord Warwick.

"My Lord,—Our calamitous state, (we having no hope of defence but under the wings of your protection,) compels us to advise you that Castle Cornet has, within the last eight days, received supplies from France and England ; a large shallop having come from France, and two ships from England, one of them commanded by Captain Bowden, who has revolted against the parliament. Captain Bowden arrived here from Dartmouth on Saturday last, the 22d of this month, and anchored to the south of the castle, when he sent his boat on shore with letters addressed to the lieutenant-governor, Russell, and to the commissioners appointed by the parliament, requesting them to come on board his vessel to consult with him on matters of great importance, he feigning to be ill. Upon

250. *The Guernsey Merchantman and the French Freemason.*

this invitation, Pierre de Beauvoir, James de Havilland, and Pierre Carey, three of the said commissioners, went on board, when they were immediately seized and treated as prisoners. The other vessel went to Jersey on the same errand, but our lieutenant-governor sent timely notice to that island. This circumstance induces us, with the consent of Robert Russell, Esq., your lieutenant, to write to your lordship, and inform you that this poor and feeble state has, at present, more need than ever of your aid and support; and we most humbly pray you, with all possible diligence, to send us some vessels, and all necessary ammunition, in such quantities as your prudence may think proper, to protect us against the invasion of our enemies. And we will ever remain, your lordships' very humble and obedient servants. (Signed,) James Guille, Pierre de Beauvoir du Bosq, Michael de Saumarez. Jean Bonamy, Thomas Carey, Jean Carey. Dated Guernsey, 23d October, 1649." *(To be continued.)*

NOTE.—As the reign of Charles is one of the most interesting in the annals of English history we feel particularly anxious to record every fact that can be authenticated, which bears on the transactions of the Channel Islands. We have already received many valuable papers on this subject from different members of our oldest families: but if more exist, we earnestly solicit those who possess them to allow us the perusal, and the privilege of making extracts. The three articles we have already written on "The Historical Notices of the Channel Islands," is a proof that we have used labour and diligence in this part of our literary exertions: we have made them as complete as our means of information will allow; and if there be omissions, we shall gladly repair the deficiency. We make this appeal not only to Guernsamen, but also to Jerseysmen, who may be assured that their documents will be carefully preserved, and faithfully returned.

THE GUERNSEY MERCHANTMAN AND THE FRENCH FREEMASON.

OUR readers are assured that the following narrative is literally true in all its details and particulars, though it may seem romantic to those who are not initiated into the mysteries of freemasonry, and are sceptical as to its social obligations. It would have been an easy task to have given a warmer and more glowing colouring to the statement, but, notwithstanding the alluring example of the fashionable novelists, we prefer simplicity to ornament, agreeing, as we do, with Horne Tooke, "that whatever truth borrows from the pencil, is deformity."

The Alert, a cutter of about seventy tons, John Mauger, master, and John Mitchell, supercargo, sailed from Guernsey on the 19th December, 1812, with a cargo of sugar and wine, bound to Gibraltar. Two days after her departure, she was taken by the privateer ship the Miquelonais, of St. Malo, carrying eighteen guns, and having a crew of one hundred and eighty men. Her captain was Pradere Niquet, who had left St. Malo on the 7th December, and during the short space of fourteen days he had made nine captures, all of which were destroyed except the Regent, from the West Indies, the Commerce, from the Brazils, and the Alert.

Mitchell, the supercargo, was a freemason, and, as soon as he went on board the privateer, he determined to ascertain if the captain was one of the brotherhood. To his great joy, he found that he was, and moreover sincere in his creed; for the sign of recognition had no sooner passed between them, than Niquet promised him his liberty. At this moment there was a boat alongside the privateer, in which part of the crews of the Regent and Commerce were already embarked. Into this the Frenchman invited his prisoner to enter, but Mitchell declined this offer, declaring, in the first place, that he would not leave his nephew, Mauger, behind, and objecting, secondly, that the boat was already overloaded by the fourteen persons aboard. Niquet, in answer, said that he would recall three or four of the English sailors, and would send them off the next day in a boat that he would get ready; but Mitchell persisted in his refusal, observing that it should never be said of him that he was the cause of three or four men, to whom liberty was offered, incurring the chance of going to prison for his sake. The boat then left, and was picked up on the 22d December by the Chance, of London, which reached Falmouth on the 25th.

Niquet now inquired about the cargo of the Alert, and being told that she had about one hundred boxes of Havannah sugar, which at that time was selling at about six shillings per pound in France, he ordered it to be taken out, and put on board the privateer, saying, that he would make Mitchell a present of the cutter.

and the remainder of the goods. At the moment that they were preparing to carry this measure into effect, some English men of war appeared in sight, and as they were now near the coast of France, Niquet, with the *Alert*, ran into Quimper, and the other vessels reached the small port of Benaulet.

Owing to the active interference of the captain of the privateer, Mitchell was not put into prison, as he otherwise would have been, the law of France not permitting the masters or supercargoes of vessels of the tonnage of the *Alert* to be at large. At the request of Mitchell, Niquet also procured the liberation of Mauger. This generous freemason then aided them to escape from Quimper to L'Orient, and gave them an unrestricted letter of credit on one of the principal banks of that town, in which they passed for uncle and nephew, giving out that they were Americans who had taken their passage from Guernsey to Gibraltar for the purpose of claiming a schooner, which had been detained on the supposition of having French prisoners on board. Their intention was to escape from L'Orient, by taking their passage on board some one of the licensed vessels which were loading there for England. They at last completed their arrangement with a Papenburgh ship loading for London, but unfortunately for them, the master suspecting that they were not Americans, gave information to the authorities, on which they were arrested as spies, placed in close confinement in separate cells, and repeatedly examined by the officers of the tribunal of L'Orient. But they had the firmness and discretion never to vary from their original statement, and thus baffled all judicial interrogatories.

Information soon reached Niquet of their unexpected difficulties, and this faithful friend repaired to L'Orient, and there declared that they were Americans, he having known Mitchell personally, when he traded from St. Pierre de Miquelon, his native place, to America. This evidence released them from prison, and they remained two months at L'Orient; but seeing no hopes of effecting their liberty, Niquet furnished them the means of proceeding to a small port called Concarneau, and by his recommendation and influence, they there procured a boat and provisions, and thus quitted the French territory.

After being eight days at sea in this open boat in the Bay of Biscay, where they experienced in March a succession of rough weather, they gave themselves up as lost; for they determined to brave the elements and perish, rather than risk a second trip to France. When in this dreadful state of anxiety, a vessel hove in sight, and by a most extraordinary chance, it proved to be the privateer *Miquelonnais*, again commanded by their old friend Niquet. He received them with all his former kindness, and ordered their boat to be hoisted on board, giving them every comfort that he could supply to recruit their strength, exhausted as they were from cold, and want of sleep. He then desired his carpenter to raise the boat by two planks, and put her in a fit condition to resist the sea. Captain Niquet then promised that he would make the rock Douvres, and pass as near Guernsey as he safely could, putting them in as fair a way as possible to reach that island. On the 2d of April, he took the English brig *Alexander*, bound from Falmouth to Vigo, with a cargo of lead, iron, and velvet. The vessel was sunk, but before that, the captain took all the velvet out of her, and gave it as a present to Mitchell and Mauger, saying that it would in some degree reward them for their misfortunes.

But this truly noble-minded Frenchman was not able to perform his generous promise; for while passing near Brest, he was seen by some of the frigates of the British squadron then blockading that port, and after a long chase he was taken by the *Unicorn* and *Stag*, and carried into Plymouth. Captain Mauger, having been desired to act with the British officer who took charge of the *Miquelonnais*, arrived in her at Plymouth, where he was well received by Lord Keith, then admiral of that port, who offered him the situation of master's mate, which he declined. Lord Keith procured him a passage in the scout, *Friends*, of Jersey, from which he landed in Guernsey on the 10th of April, 1813.

Captain Niquet was confined in Dartmoor prison. As soon as Mitchell was informed of it, he repaired thither, and succeeded in assisting him to make his escape, but having remained too long at one of the inns on the road, they were retaken near to Exeter. Niquet was conducted back to his old quarters, and Mitchell stood his trial at the assizes, when he was sentenced to seven years transportation to Botany Bay, according to act of parliament. On representations being made to government, this sentence was commuted into one year's detention in Worcester castle. But, from causes not within our knowledge, the meritorious conduct of the excellent Niquet was either unknown to the ministers, or most

unkindly passed by, for he remained in prison till the termination of the war, and died about six years ago. Mauger had left for Newfoundland, but still, as Mitchell was relieved from the punishment pronounced on him by the judge, it appears most extraordinary that the disinterested French freemason was not sent home on his parole.

We take this opportunity of calling on all our supporters in Guernsey and Jersey, to persuade their seafaring friends, who served during the late war, either in merchantmen or in privateers, to amuse themselves during the ensuing winter months in recording their adventures, and we are sure that their countrymen will read them with pleasure. There ought to be no apathy on this subject: we know that the materials are abundant, and if our correspondents will only rouse up sufficient industry to collect facts and dates, we will cheerfully reduce the narrative into form.

LAWS AND CUSTOMS OF GUERNSEY.

NO. 3.—DEBTOR AND CREDITOR.

THE laws at present in force and administered in Guernsey between *debtors* and their *creditors*, have, within the last thirteen years, undergone many important changes; and the marked, not to say unjust, distinctions which they formerly made between natives and strangers, with regard to their liability to arrest, and privilege of renunciation, are now all but totally abolished.

All persons, whether strangers or natives, possessing real property in the island, are at present equally liable to arrest for debts due on promissory notes, bills of exchange, or other negotiable securities. The process by which such arrest is made is a warrant, under the hand of the bailiff, or his lieutenant, or, in their absence, under the hands of two jurats, permitting the creditor to arrest the person or goods of the debtor for the sum alleged to be due, which writ is executed by the king's sheriff, or his deputy, or, in their absence, by the king's sergeant, or his deputy.

The person or goods of a stranger, or of a native who possesses no real property, are also liable to be arrested for simple contract debts; but in the case of a native possessed of real property, the goods only can be arrested for such debt.

The person and goods of a stranger are protected from arrest in all cases of simple book debts, contracted out of the jurisdiction, until such stranger have acquired a settlement on the island by a constant residence of a year and a day; provided, however, such debt be not due on a promissory note, bill of exchange, or other negotiable security; and that it be not a debt arising from a bond or other document bearing proof of its being due.

No arrest of the person can take place except for sums amounting to £5 sterling, or upwards; and it must, in every case, be founded upon an affidavit taken before the bailiff, lieutenant-bailiff, or a jurat of the court.

When an arrest of the person takes place, the body of the debtor is committed to jail, unless he can produce bail for his appearance at any time he may be required, which bail is taken by the officer who executes the writ.

An attachment of the goods, whether of a stranger or native, whether for negotiable securities or simple contract debts, may be made for any sum, and it need not be founded upon any affidavit.

When goods are attached, the officer who executes the writ makes an inventory of them, and they are considered in his custody; but, in point of fact, the debtor is commonly left in possession of them until the decision of the case, but he cannot exercise any act of ownership over them beyond the mere usufruct.

The person and goods of a debtor can in no case be taken together in execution for the same debt: the creditor, in cases where the person is liable, may make his election of the person or the goods, but he must confine himself to one only. He, however, after having made his election, may, under a special permission of the court—to the obtaining of which permission the debtor must be summoned to be present—release the person and attach the goods, or abandon the goods and arrest the person.

A debtor, against whom a writ of arrest is issued, may bail either his goods or his person. The right of becoming bail was formerly confined to natives possessing real property; but it is now extended to all persons, whether natives or strangers, who, if required by the creditors to do so, can prove by a declaration

upon oath, that they are possessed of sufficient property, over and above the payment of their own debts, to answer the demand of the creditor, and that one-half at least of that property is real estate within the island.

The bail, in all cases, is to surrender the person or goods of the debtor at any time during, or at the close of the suit, or to pay the sum awarded to the creditor by the court.

After an arrest of the person or goods has been made, the defendant is called upon, by summons, to attend the court at its next sitting, generally on the ensuing Saturday, to show cause why the arrest should not be confirmed. If the creditor neglect to issue such summons, the defendant has a right to turn plaintiff, and to summon him to show cause why the arrest should not be set aside, and in default of the creditor's answering on the very first summons, the arrest is so set aside, with costs.

In all proceedings which relate to arrests, either of the person or goods, natives and strangers are precisely upon the same footing as to the times of hearing causes and obtaining judgment.

Until very recently, a creditor attaching the goods of his debtor, and obtaining a single act of court recording such attachment, acquired a preference upon such goods to the full amount of his claim, over all the other creditors, even though such attachment should so shake the debtor's credit as to involve him in bankruptcy. This custom—which in many cases proved a flagrant injustice to creditors absent from the island, who, having no means of knowing what was going on here, could not provide for their own security—is said to have been founded upon a maxim of the Norman law: "*La loi subvient au diligent*,"—a maxim which, however, favouring as it often did the most relentless creditor to the prejudice not only of the indulgent, but of those who, through absence from the island, were incapable of helping themselves, might with greater propriety have been rendered: "*La loi subvient à l'implacable, et écrase l'indulgent et l'impuissant*." The class of creditors who in general suffered most from its effects, were those which the law should have been most solicitous to protect, namely, English houses furnishing Guernsey tradesmen with manufactured and other goods. They were indeed so unprotected, that it was no uncommon circumstance, when a bankruptcy took place, for some of them to have the mortification of seeing the produce of goods which they had furnished, but had not been paid for, applied to liquidate the claims of favoured creditors to the exclusion of their own.

A case of this nature, which occurred in 1834, led to a change in the law. It presented itself under the palpable and aggravated form of a fraudulent attempt to shut out a body of English creditors, whose claims amounted to upwards of £5,000, from all participation in the produce of a linen draper's stock which themselves had furnished. A most determined opposition, however, manifested itself on the part of these creditors, who forthwith issued a commission against the debtor in the English bankrupt court, under which commission they appointed assignees who, step by step, opposed here the proceedings of the parties who claimed a preference, and expressed their decided resolution to carry the question before his Majesty in council, rather than submit to what they very properly held to be a flagrant perversion both of law and justice. The affair exciting considerable indignation in the British metropolis, the whole trading part of the community here were so awakened to a sense of the danger that threatened their credit in the English market if the law remained unchanged, as to induce our chamber of commerce to remonstrate against it; and the court, after having judicially rejected the claim of preference in the particular case referred to, ruled legislatively at the chief pleas held on the 16th January, 1836, that from thenceforth no registry against real property, nor act of court recording or confirming an attachment against personal property, acquired within a fortnight antecedently to an insolvency, should entitle the creditor to any preference on such property,—the date of such insolvency to be subsequently decided upon by the court, according to the circumstances of each case.

It may sometimes occur, that after a creditor has taken his option to attach the goods, he may apprehend an intention on the part of the debtor to remove himself out of the jurisdiction, which would have the effect of considerably protracting the suit, by compelling the creditor to have the king's sergeant appointed as the debtor's representative in the suit, which is rather a tedious process. In a case of this nature, the creditor is allowed to arrest the person of the defendant, for the purpose of compelling him to appoint some native to represent his person in the suit, and to answer in his stead, in the event of his leaving the island. To arrests of this description, natives, even though possessing real property, are as liable

as strangers, and in no case is the plaintiff bound to furnish proof of the defendant's intention to quit the island.

Thirty years was, until recently, the term of limitation within which all actions for personal debts, or other demands not affecting real property, were to be instituted. This term, however, being universally admitted to be inconveniently long, and the interests of trade requiring that it should be considerably abridged, the court, at the last chief pleas, held in April, 1836, passed an ordinance to the effect, that from and after the 1st June thence next ensuing, the right to institute actions for the recovery of personal debts or demands—the same not being acknowledged either in writing or by act of court—should be barred by the lapse of ten years; and that with regard to antecedently created debts or demands, against which the former limitation of thirty years had commenced, but for the completion of which limitation upwards of ten years would be required from the 1st June, 1836, all right of action for such debts or demands should likewise be barred by the lapse of ten years from the said day.

The laws which obtain in Guernsey in relation to insolvent debtors, and which serve as substitutes to bankrupt laws, are known under the terms *cession* and *renunciation*.

Cession is the privilege which an insolvent debtor, actually in jail, has of freeing himself from imprisonment, on giving up all his property to his creditors, and promising on oath to pay them any deficit if he ever has it in his power.

Renunciation is the giving up of the debtor's property, in favour of his creditors, without any promise of future payment,—by which act he is therefore entirely freed, not only from the particular debt or debts which are the subject of the suit, but from all others which he may have contracted up to that time. This renunciation is called *renonciation volontaire*, or voluntary renunciation, as distinguished from the *renonciation par loi outrée*, or compulsory renunciation, of which some account will be given when we come to treat of the terms, divisions, and judicial proceedings of the royal court.

Formerly, the privilege of *cession* was confined to natives, and that of *renunciation* to natives possessed of real property; but as the acquisition of the smallest fractional portion of real property entitled the debtor to the benefit of *renunciation*, and as reserved rents on estates are deemed as fully real property as the lands or houses on which they are due, an insolvent debtor, contemplating a failure, had only to purchase so trifling a portion of rent as the sixth part of a bushel of wheat, in order to his being deemed a possessor of real property, and therefore entitled to *renounce*. The practice of *cession*, in process of time, therefore gave way to the more extensive effect of *renunciation*, and so matters continued until 1825, when, by an order in council, dated the 20th December of that year, several important regulations were established in relation to the mode of administering both the one and the other.

At present all natives, whether possessed of real property or not, and all British subjects having resided in the island a year and a day, who offer to *renounce* before they are imprisoned for debt, are alike entitled to the benefit of *renunciation*.

The benefit of *cession* may be granted to the same classes of individuals, when imprisoned for debt, and immediately after hearing the creditor or creditors, at whose suit they are in prison.

Although a debtor actually in jail can have only the benefit of *cession* extended to him, this must be understood to relate only to the claims of the creditors who have arrested his person; for, with regard to the claims of all his other creditors, he may be admitted to take the benefit of *renunciation*.

To all others—for instance to aliens, and to British subjects who have not resided a year and a day in the island—the benefit of *cession* may be allowed, after an imprisonment of three months, and provided no fraud is apparent.

In cases where the creditor shows a sufficient reason, the period of imprisonment antecedent to the admission of the debtor to the benefit of *cession* may, at the discretion of the court, be prolonged to two years.

On a debtor's praying to be allowed the benefit of *renunciation* or *cession*, the action on which he may happen to be sued is postponed for a month, and a provisional committee, composed of three of the principal creditors resident in the island, is appointed by the court, (generally without the concurrence or knowledge of such creditors, a circumstance that often leads to the appointment of persons unwilling or unable to serve,) whose duty it is to take charge of the debtor's property,—to receive from him, within four days, and in presence of a jurat of the court appointed to act as commissioner, a statement of his debts and assets, to the truth of which he is bound to subscribe upon oath,—to convene, by means of

public notice in the local papers, a general meeting of the creditors, which is held under the presidency of the commissioner, and at which the debtor is examined touching the nature of his debts, assets, and the causes of his insolvency, and a permanent committee is appointed to take charge of his property. After these formalities have been attended to, notice is again given, by means of the local newspapers, that the debtor on a given day—generally the fourth Saturday after his request to be allowed the benefit of renunciation or cession—will present himself at the bar of the court for the purpose of renewing that request, so that such of them as wish to oppose it may be present to state their objections.

After hearing the creditors, if any present themselves, the debtor against whom nothing appears to the contrary, is admitted to the benefit of renunciation. But when there are reasons to the contrary, proved to the satisfaction of the court, the debtor may be admitted only to the benefit of cession. And in cases of evident fraud, the court may refuse the benefit of either. B—.

THE LATE BILLET D'ETAT.

THE address of the States to his Excellency Major-General Ross, inserted below, is a grateful and becoming testimony to the valuable services rendered by the governor to all classes of our inhabitants during his successful administration. The public acts of men in office, however useful to the community, are not the best criteria by which moral character ought to be judged; but when these are accompanied by the quiet and unobtrusive exercise of the private virtues, the gratitude of a nation is as spontaneous, as universal. Justice requires us to say that General Ross is entitled to this united praise; and that he has won the undivided homage of Guernsensem by displaying energy when their privileges required protection, and allowing his prerogative to slumber, when their comforts and interests were best served by repose. His activity shone forth in the cases of the cholera, the corn trade, and the tithe commutation; his moderation is attested by the lenity with which he has enforced militia duty. In war, a gallant soldier; in peace, an able administrator; rewarded by his sovereign with military honours, and the command of a regiment; he leaves our shores with the approbation of the wise, the esteem of the good, the gratitude of the poor, and the hearty and sincere good wishes of the whole population.

TO HIS EXCELLENCY MAJOR-GENERAL ROSS, LIEUT.-GOVERNOR OF GUERNSEY.

SIR,—The States of Guernsey, assembled on the occasion of your approaching departure, beg leave to assure your Excellency of their continued respect and attachment. They contemplate with feelings of a conflicting nature the separation about to take place; with those of regret for the loss they will sustain—of satisfaction for the attainment of that reward which your services so justly merit.

They look back, however, with unmixed pleasure to eight years of uninterrupted harmony; to the number of good services rendered to the island during that period; and to the part taken by your Excellency in procuring the late increase to the benefices of the parochial clergy, as well as the substitution of a payment to them in lieu of tithes on fish, both out of a fund before lost to the island, and the latter to the great relief of one of its most industrious classes. So long a course of good government on one side, of prosperity to the community, its natural result, on the other, calls forth from that community the expression of its gratitude.

In the name of the inhabitants of Guernsey, the States do therefore present their grateful thanks to your Excellency, and with them a piece of plate, of which they request the acceptance as a faint token of their good wishes, and affectionate remembrance.

In the name of the States.

(Signed by the Committee.)

Of the dispute between the Banks and the States, we abstain, at least for the present, to take any particular notice. We lament that any such collision should have disturbed the harmony of the island, and hoping that all differences may be amicably adjusted by the finance committee, we deem it prudent to decline any observation on the existing controversy, which might add more fuel to the flames already kindled.

SARNIAN MELODIES.

No. 5.—THE CASKETS.

THE setting sun with levell'd ray
Shines brightly on the western wave,
Diffusing o'er the briny spray,
Tints such as rainbow never gave,
And sheds a beam of parting light
On Noirmont's sands, and Fleinheume's height,
And Michael's castle grey, with antique tracery dight.
All radiant glows the sea serene.
Far to the pale horizon's verge,—
Where Casket's dreadful ledge is seen,
With its faint streak of whitening surge;
As rushing past the craggy steep,
The wildly circling currents sweep,
And in the deepest calm their restless turmoil keep.
Ye dismal rocks! in Ocean wide,
Have ye thus lone for ever stood!
Or did some earthquake's force divide,
And fling your fragments on the flood?
Or were ye from some island rent,
Or were ye hills, when ocean's pent
Rush'd from their hanging beds and drown'd some continent
Now bid yon warm and cloudless sky,
Yon brilliant ocean's sunshine change;
Bid sudden fancy's roving eye,
O'er Winter's horrid shadowy range,
Pourtray the mountain-heaving main,
With whirlwinds lash'd, and black with rain,
'Neath gloomy clouds that mourn this lovely light in vain.
When from their bed the waves are cast,
The lightning's glance on them is thrown,
And 'twixt the pauses of the blast
Is heard the crashing thunder's moan.
And headlong from the boundless West
The billows heave their giant crest,
What curdling horrors *then* must on the Caskets roost!
But when before yon beacons blaz'd,
To guide the stranger on his way,
And o'er the desert waters rais'd
Afar the life-preserving ray;
E'er yet yon triple tow'rs defied,
The howling winds,—the raging tide—
And rear'd their heads on high in all-contemning pride;
Could we, disastrous rocks! explore
Your awful depths,—their leaves unfold,
Scenes should we read, that evermore,
In harrowing numbers might be told;
Strains that in thought should waft us there,
The struggling mariners' cries to hear,
Th'elements' heedless roar,—destruction and despair.
Full rich and plenteous was the prey
Engulph'd then 'neath your breakers hoarse;
But never as that fatal day,
(Long ages since have held their course,)
When with the flower of Normandy,
Young William breath'd his latest sigh,
And helpless sunk, amid your gurgling waves to die.
And oft on you the bark was thrown,
Fraught with the wealth of Eastern climes,
And countless luxuries unknown,
To the rude natives of those times.
But man with persevering skill,
Hath quelled your sterner powers of ill,
And triumphantly reared yon trophy of his will.
Then dash along wild western wave,
Upon the Casket's iron shore,—
Tumultuous too the Swinge may rave,—
And through the Race the currents roar
Then onwards, still, dark billows bound,
And hoarser yet, ye rocks, resound,
Huge bulwark of the deep! to fence the isles around.
Yet all must pass your dread defiles
Ere they attain these Southern skies,
And boldly toll their fearful miles
To win the Island Paradise:
As poets feigned, in classic lore,
Hell's portals must be crossed, before
The blessed shade could reach Elysium's happy shore.

THE

GUERNSEY & JERSEY MAGAZINE.

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ON THE CONSTRUCTION OF PARLIAMENT.

If the different classes of a community had a clear apprehension of their true interests, each would be convinced that its own particular interests are best promoted by those means which tend in the greatest degree to promote the interests of the whole. Ignorance, however, by preventing men from perceiving the links by which the interests of a community are bound together, has generally given rise to a very different train of thinking; and the various classes of a community have been led to imagine that the best way to promote their respective interests was to obstruct the interests of every other class. The prejudices thus originating with ignorance have been so confirmed by the arts of designing men, that it is scarcely possible for reason to eradicate them. Legislators, in general, have not been wiser than the people for whom they had to frame laws. Almost every legislator has had his favourite class, whom he resolved to exalt at the expense of all the rest. All history is full of this perversion of justice. The Brahminical creed divided the whole population into four classes, and declared that their relative rights and duties should continue throughout all generations, as they were originally constituted. Among the Persians, a peculiar class alone were allowed to ride on horseback. Among the Romans, tradesmen were degraded in order to exalt the profession of husbandmen. Under the old government of France, the industrious classes of the community were insulted and oppressed in order to accumulate wealth and honours on the military and ecclesiastical orders. Even those who have followed different modes of productive industry have in a similar manner endeavoured to aggrandize themselves by mutual encroachment on each other; and their designs have been as ignorantly abetted by legislators. It is to this spirit of pursuing individual interests to the detriment of

general interests, that we may attribute the numerous restrictions on free trade, that impoverish nations as well as individuals.

The history of parliament, both in its construction and in its acts, affords abundant evidence of the truth of these opinions. Its members have always been elected on an exclusive principle, and their measures have ever tended to sacrifice public, to private, good. We believe that no record exists containing so foul a mass of folly and injustice, as the parliamentary statutes, promulgated by what Castlereagh so delighted in calling the "collective wisdom." Nor is this extraordinary, when we consider, first, that the members legislated for their own personal interests; and, secondly, that the vast majority were totally incompetent, from want of knowledge, to take an enlarged and comprehensive view of any intricate question. Thus it is that the moderns have inherited a legacy of blunders, and that the whole time of the reformed parliament has been devoted, and must continue to be devoted, to remodeling the principles of the constitution.

As the acts of a parliament will almost entirely depend on its construction, we propose, in this article, to offer some general remarks on the qualifications both of the electors and the members, and in order to give greater perspicuity to the subject, we shall slightly sketch the more prominent features of our legislative assemblies, from their original foundation down to the enactment of the reform bill.

When William had gained the victory of Hastings, he marched towards London, and found, like other conquerors, an easy passage to the throne, when the prince is slain and his army defeated. The English offered him the peaceable possession of a crown which he was in a condition to have seized by force, rather choosing to see the brows of the victor encircled with a crown than with a helmet, and wishing rather to be governed by the sceptre than the sword. He was, accordingly, installed with all the solemnities of the Saxon coronation, and immediately afterwards annihilated all those laws which these solemnities were instituted to perpetuate. He at once established the feudal system of Normandy, the only one he understood; he divided all the lands of England into knights' fees, to be holden of himself by military tenure; and as not one of the English had any share in this general distribution, their estates being forfeited on account of their adherence to Harold, and by subsequent rebellions, it is plain they could have had no political importance, since none but the vassals of the crown had seats in the feudal parliament. At this period there was but one legislative assembly, in which the temporal and spiritual barons sat, not because they had the *nominal* title of peers of the realm, as is the case in modern times, but because they held their estates "*per baroniam*," by the tenure of barony, an obligation which compelled them to serve

the king in his wars personally and with their retainers; or in other words, on condition of their being taxed to pay the standing army out of the proceeds of their lands. That obligation has ceased, but the privilege of legislation remains; they still have the benefit of the bond, but are released from its conditions.

To these tenures *in capite*, from which legislative power was derived, many other incidents were attached deteriorating their value, and they were liable to escheat and forfeiture. The ambition of William was not satisfied with a crown, while his authority was limited by his powerful barons. He devised every expedient to reduce their influence, by confiscating their estates, and, before he died, the English had the melancholy pleasure of seeing that his heavy hand pressed as hard on the Normans as on themselves. His successors followed his example, till at last this struggle terminated in the reign of John, when the barons, compelled to make common cause, to a certain extent, with the people, extorted the great charter at Runnymede. Had not the evil been here arrested, the barons themselves must, one by one, have dropped like falling stars into the centre of power, and the aristocracy been swallowed up in an unlimited monarchy. The people, already trained to subjection, would have been an easy prey to the prince in the meridian of his authority; and despotism, encircled by an army of mercenaries, would have scattered terror among a nation of slaves.

But though the great charter liberated the nation from the tyranny of one man, it conferred no substantial freedom on the masses. The baronial aristocracy alone felt the immediate and direct benefit of that great measure. Yet was it the precursor of English liberty, as it now exists, not from any volition of the peers of those days, but from the effect of circumstances which they never foresaw. Our next point, therefore, is to show by what steps the democracy of England, without being drawn forth into personal action, were enabled to act with more than physical force; in what manner they acquired a political mint in which they could deposit the privileges gradually acquired, and into which every future accumulation of powers, flowing from increase of property and the thriving arts of peace, might silently and imperceptibly fall, gently bringing down the scale without convulsing the balance.

"In the early times of our legal constitution," says Blackstone, "the king's greater barons, who had a large extent of territory held under the crown, granted out frequently smaller manors to inferior persons, to be holden of themselves, which do, therefore, now continue to be held under a superior lord, who is called, in such cases, the lord paramount over all these manors; and his seignory is frequently termed an honour, not a manor, especially if it has belonged to an ancient feudal baron, or been at any time in the hands of the crown. In imitation whereof,

these inferior lords began to carve out and grant to others still more minute estates, to be held as of themselves, and were so proceeding downwards, *ad infinitum*, till the superior lords observed, that by this method of subinfeudation they lost all their feudal profits of wardships, marriages, and escheats, which fell into the hands of these meane or middle lords, who were the immediate superiors of the *terre-tenant*, or him who occupied the land; and also that the meane lords themselves were so impoverished thereby, that they were disabled from performing their services to their own superiors.”*

To remedy these inconveniences, a law was passed in the eighteenth year of the reign of Edward the First, commonly called *Quia emptores terrarum*. By this act the people were allowed to dispose of their estates, but the original tenure was made to follow the land through all its alienations; consequently, when the king's immediate vassal divided his property, by sale, into smaller baronies, the purchaser had, from thenceforward, no feudal connection with the seller, but held immediately from the king, according to the ancient tenure of the land; and if these purchasers alienated to others the lands so purchased, still the tenure continued and remained in the land. The great barons were very urgent to have this law passed, that the lands which they had sold before the act might not be liable to subinfeudation, but might return to themselves by escheats, on failure of heirs, or by forfeiture, in cases of felony; but they did not foresee that the multiplication of their own body would, in the end, annihilate its consequences, and raise up a new order in the state: indeed, the tenancies *in capite* were increasing rapidly before this act; for, when a large barony escheated, or was forfeited to the crown, it was generally divided, and granted to more than one occupant; and frequently these baronies descended to several females, who inherited as co-partners. It was in consequence of this multiplication of tenures *in capite* that the smaller barons were summoned *per vicecomites*, and not like the greater ones, as early as the reign of king John,—their numbers being too great to address writs to them all; but this multiplication would probably never have produced a genuine house of commons without the operation of this act, as the following remark will make more apparent.

We have already stated that every tenant *in capite* had a seat in the legislative assembly, by virtue of this tenure. Now, when the system of subinfeudation was introduced, and the construction given to the statute, *Quia emptores terrarum*, began to work its effects, it is plain that the tenants *in capite* must have numerically increased to a vast amount, as an estate, originally held by a single individual, would be parcelled out among several holders, and each of these became at once

* Commentaries, vol. 2, p. 91.

invested with parliamentary privileges. This is an extraordinary example of the small foresight of ambitious politicians, who, neglecting all fixed principles of government, enact laws to suit their own personal advantage, or to meet the pressure of immediate exigencies. Edward, and his barons, by this device, monopolized, it is true, all the feudal sovereignties, and prevented their vassals from becoming lords like themselves; but though they preserved the profits of escheats, forfeitures, wardships, and of the other feudal incidents, they purchased them at a dear rate, for, by extending legislative power, they laid the axe to the root of their own authority, or at least to that of their descendants. The tenants *in capite*, who had a right to be summoned to parliament, now became so numerous, in consequence of the frequent alienation of the king's vassals, whose immense territories were divisible into many less baronies, that it became utterly impossible for them all to transact business in one assembly, even had it been held in the open air. The feudal peers had, in fact, become the people, by repeated and minute subinfeudations. The idea of *representation* thus necessarily arose; and the feudal and personal privileges now were changed into natural and corporate privileges.—This period of our annals is one of the most important epochs in the history of constitutional freedom. It is very probable, that burgage tenure first gave the idea of a representation of the smaller barons; for when the king enfranchised a town, and gave it lands out of the royal demesne, this instantly made the corporation a tenant *in capite*; but, as the corporation could not sit in parliament, it elected a burgess. It was in consequence of this burgage tenure, or tenancy *in capite* of a corporation, that the rotten boroughs, such as Gatton and old Sarum, formerly sent two members to parliament, while the opulent and populous towns of Manchester and Birmingham were unrepresented.

Thus then it appears that the house of commons, and the lords spiritual, who still sit in parliament as tenants *in capite*, are the only remains of the genuine feudal territorial peerage; for, when the tenants *in capite* became numerous and poor, such an alloy was mixed with the ancient original nobility, that it would have been absurd to have allowed tenure in chief to convey any longer a personal honour and privilege; the peerage, therefore, no longer passed with the fief, but, from being territorial and official, became personal and honorary; yet, as tenure in chief was still, from the very nature of the feudal system, a legislative title, although its exercise was no longer personally practicable, in consequence of the multiplication of royal holdings, a representative system was naturally adopted.

The feudal aristocracy, thus expanded, changed by degrees into a democracy, and the aristocratical part of the government would have

been utterly extinguished, (on failure of the peers by prescription,) if the crown had not preserved it, by conferring on a few, by personal investiture, an hereditary right of legislation in the room of that territorial peerage that had branched out and become a popular right. This produced a great change in the orders of the state, for the feudal baronage, after having produced the house of commons, continued to balance, and struggle with, the prerogative, as a democracy, in the same manner that it had resisted it before as an aristocratical body; whereas, the monarchical peerage, which sprung up on the decay of the feudal, is merely an emanation of the royal prerogative, interested in the support of the crown, from which it derives its lustre and its power, and has no connection with the feudal system which conferred no legislative rights but by tenure *in capite*, which tenure, diffused among the multitude, constituted the house of commons.

And here two considerations present themselves. It is clear, in the first place, that the constitution of Britain, such as it is, is not the creature of wisdom, but of accident; and that our ancestors are in no respect entitled to those panegyrics on their sagacity which unlearned statesmen are so fond of heaping on their memory. In the next place, it is plain that things have been brought into their present form, by constant revolutions working silently, but surely. Hence, we conclude that the vital principle of the constitution is *change*: if it became stationary, it would languish, and soon retrograde; it possesses within itself an elasticity, which, if not rudely repressed, can adapt itself to all the numerous alterations which time and circumstances are incessantly producing among the tastes, and habits, and wants, and opinions of the people. We apprehend that we are now treading on the threshold of one of those periodical epochs of our constitutional history which have been of so frequent recurrence in former ages, and on the probable results we shall offer a few reflections.

It is a debateable question, whether the office of king should be hereditary or elective. As a general rule, it is quite clear that no responsible trust should descend from father to son, because talents and virtues are not, in their nature, transmissible. But the office of king, especially under the peculiar constitution of Britain, appears to be an exception to the rule, for the following, among other, reasons.

First. Because the worst evil that can befall a state is a disputed succession. The civil wars in England between the houses of York and Lancaster; those of the League in France against Henry the Fourth; and the partition and ultimate extinction of the kingdom of Poland, are awful warnings against the system of elective monarchy. But when the line of succession is distinctly marked, ambition is deprived of hope, and faction loses courage, for the most daring will fear to disturb the

settlement at the certain risk of anarchy, and with a doubtful chance of success. The grand argument, therefore, in favour of the hereditary character of the kingly office is the security it affords against intestine commotion,—an advantage paramount to all other considerations.

Secondly. Very little danger is to be apprehended from the undue exercise of the royal prerogative in the present state of public opinion. In those rude times when the king enforced his pleasure by the sword, the title of hereditary descent was a crying evil; but those days are passed, and the more education spreads itself among the masses, the more improbable is their recurrence. It is only by the diffusion of sound knowledge that men can be made acquainted with their duties and their rights, and when that knowledge is possessed by the great majority of a nation, the quiet expression of it soon puts to flight both regiments of infantry and squadrons of cavalry. Great Britain is rapidly approaching to that state of moral and intellectual virtue, when the smile of a peer, or the craft of a demagogue, will be equally valueless and inoperative. Now, it is ridiculous to suppose that the royal family alone would linger behind the rest of the world in the march of mental improvement; for, though it has hitherto been the misfortune of princes to be surrounded by knaves and sycophants, yet their reign must terminate when the spirit of the age becomes decidedly intellectual. Kings once thought that they ruled by divine right; that they personally constituted the state; that their caprice was equivalent to law; and that the masses were simply born to be the slaves of their pleasures. These dreams are now dissipated, because public opinion has seized hold on the immutable truth of all power being delegated, and therefore of all power being a trust. If we consider the notions entertained of the royal prerogative in the time of the Stuarts, and contrast them with the ideas now held on the same subject, we may conclude that our kings will still farther relax their pretensions in obedience to the spirit of the age. Since, then, hereditary succession in the office of the chief magistrate secures a country against the chances of civil war, and since there is no danger to be apprehended from the undue exercise of the royal prerogative in the present state of Britain, utility recommends in the strongest terms the preference of hereditary over elective monarchy.

But though we would preserve intact the present rights of the crown, we would earnestly recommend many alterations in the construction of both houses of parliament; and, first, let us notice the peerage. We have already explained the ancient qualification of a legislator, to which we now add a short remark from the learned Selden. He says, "that not long after the great charter of king John, or probably in his life time, some law was made that induced the utter exclusion of all tenants *in capite* from parliament, except the ancient and greater barons, and such

others as the king thought proper to summon. During the period from the reign of king John to the eleventh of Richard the Second, *tenure* began to be disregarded, and persons were summoned to parliament by *writ*, who held no lands of the king. This continued to be the case till the eleventh of Richard the Second, when the practice of creating peers by letters patent first commenced, and since that time peerages have been created both by writ and patent, without any regard to tenure or estate."* And we learn from Lord Coke that "king Richard the Second created John Beauchampe de Holte, baron of Kidderminster, by his letters patent, bearing date the tenth of October, in the eleventh year of his reign, before whom there was never any baron created by letters patent, but by writ."†

So far, then, as the question of law is concerned, it is evident that the modern peerage possess the privileges of hereditary legislation on very different grounds than those of their remote predecessors. It is also clear that the creation of nobility by patent was a direct violation of the old constitution, and an arbitrary stretch of the royal prerogative; and the consequence fairly deducible from these facts is this: that William the Fourth has as much right to cancel all these patents as Richard the Second had to originate them. We might push this legal point much further, but as we have already, in our March number, devoted an entire article to the "Reform of the House of Lords," we should only be repeating the facts and arguments there adduced.

The questions of utility and justice still remain. The peerage, as now constructed, are not trustees for the nation. They are only responsible to themselves. The power they exercise is assumed, not delegated; absolute, not conditional. They are independent both of the crown and the democracy. Formerly, as we have shown in our March number, the peerage was forfeited by absenteeism. But the proxy of the modern peer is now equivalent to his presence. He is not only not required to understand the subject propounded, but he is relieved even from the necessity of hearing a single argument on either side of the question, or listening to the contents of a single petition. His person may be at Naples, but his legislative vote remains at Westminster. Such an institution is surely neither just nor useful. It subverts all the principles of delegated power, of trust, of responsibility, and accountability. It opposes the right of equality, as sanctioned by natural law, and violates the rule that all power ought to be derived from the will of the people. In short, the house of lords, as now constructed, is an imperium in imperio,—a government within a government,—an usurpation co-existent with delegation,—an incubus on intelligence,—a clog on industry, and a satire on jurisprudence.

* Titles of honour, p. 2., c. 5., s. 17. † First institute, c. ix., p. 2.

Independently of the legal and political questions, we are, moreover, of opinion that a distinct body of men, possessing the power of hereditary legislation, is an institution fatal to the progress of religion and morals. A peer without enormous wealth is no better than a ship without a rudder and rigging. To perpetuate this wealth, primogeniture must be maintained, and thus religion is violated in its holiest commandment, and morality outraged in its most sacred obligations. A love of titular distinctions, such as a garter, a star, a bit of blue ribband, degrades manhood to childhood, and must necessarily deaden the expansion of those intellectual faculties which are required to be fully developed in a legislator. A peerage creates invidious distinctions in society, generating pride among the few, and hatred among the many. As the representatives of the people must be limited in number, the nation is deprived of the services of many of its most intelligent members, by having the ground constantly preoccupied by persons, whose sole pretensions to govern consist in the fortuitous accident of birth, and this being known, many neglect to cultivate their minds, knowing that an impassable barrier is raised against them; and thus the cause of truth loses many an able advocate. If we could discover a single argument in favour of hereditary legislation adapted to the present state of the country, we would frankly state it, and give it its just value, but, in our heart and conscience, we can find none.

The essential particular in which the house of commons differs from the house of lords is, in its being based on the principle of delegated power as distinguished from assumed power. But though this principle be recognized in its construction, it has been hitherto carried to a very limited extent in practice. It is true that the recent reform bill has cured many defects; that it has consecrated the doctrine of all legislative power being a trust, and put an end to the silly sophism of virtual representation. But much more still remains to be done before the house of commons becomes a true and perfect expression of the will of the people.

Our first objection applies to the present restricted character of the elective franchise. Hitherto, realized property has been considered as the sole qualification of an elector, upon which two difficulties have presented themselves. First, to determine in what realized property consists; secondly, to fix the amount which shall entitle the elector to a vote. Thus, at the very outset, that which ought to be a matter of intelligence, is reduced into a question of arithmetic. It appears to us both absurd and unjust to limit the elective franchise to realized property, be it land, houses, shipping, or funds. We are bound to consider the cause as well as the effect, and therefore do we maintain that those who create capital are as much entitled to the privilege as the property itself,

and these we take to be the intelligent and industrious classes. Capital and labour are mutually dependent on each other; if the former puts the latter into activity, it is equally certain that the exertions of the latter increase the power of the former. By inaction, both would lose; by employment, both gain. As enemies, both would perish; as allies, both flourish. On what solid or just principle, then, can it be argued that realized capital, which is neither more nor less than accumulated labour, should enjoy the elective franchise, and that the parents of capital, to wit, industry and intelligence, should be deprived of it? Surely this doctrine savours of aristocracy and feudalism.

Considering, then, that all government ought to be founded on public consent, either expressed or implied; that direct personal legislation is impossible in a community of millions, from which circumstance the necessity of delegation is derived and justified; and, further, that the right of voting is the *rule*, and the privation of that right the *exception*; it is clear that the elective franchise should be extended as widely as possible, in order to approximate, as closely as possible, to universal consent. We would propose that where the money qualification was wanting, examiners should be appointed to ascertain the mental qualifications of the elector, and if he showed himself acquainted with the institutions of his country, we would accept his vote. We would suggest another test. If a working man had saved fifty pounds, and invested it in the savings bank, we would give him a vote, and we firmly believe that nothing would tend more to stimulate industry, produce habits of economy, and repress intemperance.

Another important question relates to the duration of parliament. Every period, from one year to seven years, has found advocates among those who discountenance the septennial act. We do not think that this subject has been placed on a right footing. Representation is a trust: the representative is an agent, responsible to his constituents, and he ought to be constantly dependent on their will. Surely, this dependency ought not to be measured by time, but by conduct, by assiduous attention to business, and by recorded votes. If a representative, after having accepted a trust, violates a distinct pledge, or evades an implied promise, his constituents ought to have the power of depriving him instantly of his seat, precisely because he has broken his contract. This is the rule in every other relation in life, and it is difficult to see why legislative power should be the only exception. If a merchant, at a day's notice, is permitted to discharge an agent who has deceived him, surely the people ought to have the same privilege in respect to their representatives: for it cannot be contended that the interests of an individual merchant deserve more protection than the interests of a body of electors; that a commercial broker is a more considerable character than a

parliamentary representative; or, that the buying and selling of goods are more important than the enactment or repeal of laws?

They who insist on the policy of long parliaments, bring forward as an argument in their favour, that it requires at least one session to initiate a new member into the forms and rules of the house. This argument is very feeble, for it at once admits that the representative is unqualified for his situation. This is certainly often the case, and much too frequently, as the people know to their cost; but a vicious system is not to be upheld because the electors of some districts may have made an injudicious choice. To correct this evil, care should be taken that the country should always possess an ample number of parliamentary candidates, in every respect competent to discharge their duty as soon as they take their seats. This can only be effected by *paying them* for their labour, and such payment would effectually identify them with their constituents.

Against this recommendation the rich aristocracy will enter their protest; they will boast of their disinterestedness; cite Blackstone's distinction between the *honorarium* and the *mercatorium*, and sneer at the mercenary character of a paid house of commons. The king, however, is paid; so are his ministers; so are the bishops, the generals, the admirals, and the judges. All professions receive pecuniary compensation for their respective services. In fact, every description of labour is paid for, except the most important of all, to wit, the labour of acquiring knowledge to form a legislator.

It may be objected that the electors themselves, influenced by motives of economy, would reject the plan of salaried representation. That such would be their decision at the first announcement of any such proposal is very probable, but a little reflection would convince them that the new system was less costly than the old. The majority of the representatives now consider their seats as the mean to an end, and that end is either money or patronage. It has been truly said that the house of commons resembles a pawnbroker's shop, because it is full of unredeemed pledges, the members thinking much more of the wishes of the minister than the instructions of their constituents. But if they were paid for their services, and liable to be cashiered for misconduct, no man would have any motive to sacrifice his electors to the treasury. Independently of this consideration, it must be obvious that no government could exist, unless carried on in the spirit of the age, as the minister would be effectually deprived of all the usual means of corruption. The people would, then, hold in their hands the substance, and not the mere shadow of power, for the complete responsibility of the representative would be secured by the solid bond of self-interest, their own emoluments, under the salaried system, being identified with their duty.

Were this plan adopted, the money qualification of candidates would be done away with. At present, every member of a county swears that he is worth £800 per annum; and every member of a town or city, £300 per annum. This has been, and still is, a fruitful source of the most hardened perjury. But if the members were paid, then the electors would freely nominate the person of whose intelligence and industry they had the highest opinion, without referring to pounds, shillings, and pence, as the standard of legislative efficiency. And if the elective franchise were extended, on the principle we have recommended, the constituencies would become so numerous that the salary of the members would fall so lightly on each elector, as not to be felt. A few shillings annually from each would cover the whole expense. A house of commons so framed would soon relieve industry from its burthens, and place the taxes on property. Experience has demonstrated that the present system works well only for the unproductive classes, while it grinds the operatives down to the very dust, and certain it is that these inequalities of condition can never be rectified unless the full power of constructing the legislature be vested in the industrious classes. And it further appears most clear that this fulness of power can never be efficiently delegated unless to men who are placed beyond the temptation of being bought or sold, either by money, patronage, or titular distinctions.

TRANSLATIONS FROM SCHILLER'S "MAID OF ORLEANS."

INTRODUCTORY ACT—SCENE I.

JOAN OF ARC.

FAREWELL, ye mountains, and ye lovely pastures,
 Ye sweetly silent valleys, fare ye well!
 Johanna may no more amongst you wander,
 Johanna bids you now adieu for ever!
 Ye meads which I have watered oft! ye trees
 Which I have planted, still grow brightly green!
 Farewell, ye grottos and ye cooling fountains!
 And thou, sweet voice of this fair vale, loved echo,
 Which oft hast rung responsive to my songs,
 Johanna leaves you—never to return!

Ye cherished scenes of all my silent pleasures,
 Beloved retreats! I leave you now for aye!
 Disperse, ye lambkins, o'er the grassy uplands!
 Henceforth, my flock, you shepherdless will stray;
 For I am called another flock to tend
 Upon the plain of peril and of blood:
 Thus went the spirit's summons forth to me;
 By no vain earthly wish am I impelled.

For HE who, flaming, in the burning bush,
 On Horeb's heights, to Moses gracious spoke,
 And bade him into Pharaoh's presence speed;
 HE who in times of old chose Jesse's son,
 The gallant shepherd-youth, as his own champion,—
 HE from amidst this oak to me hath said:

"Go forth! Bear witness for thy God on earth,
 In pondrous mail shalt thou thy limbs confine,
 With glittering steel enclasp thy tender breast;
 No love for man shall touch thy virgin-heart
 With sinful flames of vain and earthly lusts;
 The bridal-wreath shall never grace thy locks,
 No blooming babe be nourished at thy breast;
 But far shalt thou thy sex on earth outshine
 In deeds of arms and glorious martial honors."

"For when the bravest in the strife despair,
 And France shall seem fast tottering to her fate,
 Then, maiden, thou shalt bear my *oriflamme*,^{*}
 And like the nimble reaper mows the blades,
 Shalt thou strike down the haughty conqueror;
 Whirl back the giddy wheel of his high fortune,
 Deliverance bring to the brave sons of France,
 Relieve fair Rheims, and crown thy lawful king."

A wondrous sign is promised me from Heaven,—
 And lo, from Heaven the sacred helm descends!
 His steel enfolds me with a power divine,
 And through my veins the cherub's valour flames;
 Into the battle's tumult am I urged,
 And with the tempest's fury hurried on;—
 The war-cry's mighty peals assail mine ear,
 The trumpets sound—the panting chargers rear!

J. D. PIERCEY.

* The royal standard of the ancient kings of France.

THE ABBÉ GODARD.

TOWARDS the close of the memorable month of August, fatal to the dynasty of the ancient kings of France, the Abbé Godard, grand vicar of Bourges under the old regime, was in Paris. He shared the opinions and the misfortunes of the priests who had refused to take the oath to the civil constitution of the clergy, in consequence of which they were denounced and proscribed by the band of ruffians who had seized on the government, as refractory, and rebels to the law. Their only offence consisted in claiming for themselves that exercise of the right of private judgment, which the new constitution professed to confer on every Frenchman, and they made use of this privilege to refuse the oath required.

Immediately after the horrible 10th of August, the provisional committee, at first composed only of the deputies of the twenty-two sections of Paris, and convened at meetings in which no forms or rules of justice or consistency were observed, usurped the whole authority of the capital, and, having deprived the ancient municipality of all their former prerogatives, commenced their plans for perpetrating the atrocious deeds which they shortly carried into execution. Such was their ferocity and hardihood, that Carrier, Marat, Robespierre, and their leading coadjutors, openly avowed their sanguinary intentions in the committee, at the Jacobin Club, and even in the hall of the National Convention.

One of the first and most effective modes of accomplishing their designs was the establishment of domiciliary and nocturnal visits,

under the pretext of searching after military weapons for the use of the troops who were about to march to the frontier, and also to take them out of the hands of the malcontents. But the true object was to rob and persecute all who wished to defend the king on the 10th of August, the ministers dismissed at that period, the priests who had refused the oath, and generally all those whom the tyrants called false patriots, and enemies of the revolution, to which they openly declared that many more victims must be sacrificed.

By an order of the provisional committee, the barriers of Paris were watched with a vigilance till then unknown: the villages and the municipalities, at the greatest distance from the capital, were ordered to seize all who might make their escape, and this mandate was executed with the sternest rigour. Those who knew themselves to be marked objects of this persecution, were obliged to confine themselves to their houses, or seek a shelter among their friends; but, in the space of a few nights, very few evaded the searching vigilance of the jacobins. When arrested, the prisoners were crowded into the Abbaye, the Conciergerie, La Force, the Bicêtre, La Salpêtrière, and St. Pelagie: and when the gaols did not suffice for the incarceration of the victims, they shut up three hundred priests in the church of the Carmelites, the seminary of St. Firmin, at the Mairie, and other places of temporary detention.

The Abbé Godard arrived at Paris in the last week in August, and succeeded in entering within its walls, although he had been pursued with more than usual vigour, on account of his well known intimacy with many of the nobility, bishops, and other ecclesiastics, who had remained in Paris. But he was at last seized in the middle of the night in an unfurnished room in a house that belonged to him, which he had let to an absent friend. He was taken before the commissioners of the section, and from thence to the Mairie, the former residence of the first president. When he appeared before one of the minor revolutionary tribunals, whose business it was to classify the prisoners in different gaols, he demanded to know how, under a government professedly established on the principles of liberty, a citizen could be arrested in his own private house, without any previous notice, without trial, without even being informed of the nature of his offence. The answer he received was this: Are you not a priest? He replied in the affirmative. Well, said his interrogator, we shall not forget your answer. Without any further ceremony, he was conducted to a hay loft in the Mairie, which had been converted into a prison, and he found himself the sixtieth victim in his new abode. His companions in misfortune were several priests, some lawyers, Parisian tradesmen, and men of letters.

Here enters on the scene a young man of noble and grateful character, who displayed a devotion, a zeal, and disinterestedness, which show that, in the worst of times, virtue, probity, and honour, will still animate the hearts and govern the conduct of the choice few. The Abbé Godard had rendered some services to a young man, named Dreux, whom he had assisted in his education, and for whom he had successfully solicited the place of clerk in the office of the municipality. After the arrival of the Abbé Godard at Paris, Dreux had exerted himself to conceal his place of confinement. He lodged with him during several days, and received the most assiduous and respectful attentions. As soon as the Abbé was arrested, his first endeavour was to make known

his situation to Dreux, who, on his part, meditated on the most probable means of releasing his benefactor from prison.

The intention of the jacobins to massacre all their prisoners had been publicly made known for some weeks. They inflamed the passions of the people by complaining of the *delays of justice*, as they called them, and ascribed this evil to a conspiracy of the aristocrats. At first they only mentioned the names of some notorious official plunderers, who really deserved some legal punishment, and of some well known and intemperate friends of the old system; but they clearly foresaw that when the wild and infuriated populace were thrown upon the gaols, they would not exercise the least discrimination; and that nobles, dismissed ministers, priests, aristocrats, as well as moderate and constitutional democrats, which last class had recently become objects of the bitterest hatred to the jacobins, would all be included in one common slaughter.

Under these awful circumstances, Dreux, who was small in stature and delicate in constitution, determined to hazard his life in an attempt to rescue the Abbé Godard from the fate that awaited the prisoners generally. This enterprize was peculiarly difficult, as the young man had but little leisure time, and his services would have been but of slight avail if he could not have moved about the city as emergencies arose. He, accordingly, demanded a short leave of absence from his office, telling the chief functionary that he wished to wait on a friend who was in great misfortune; but he was told that the first duty of a clerk was to discharge the duties of his post, and all indulgence was peremptorily refused him. "But suppose that I were seriously ill," said Dreux, "you surely would not take away my place, but find means to do without my attendance for a few days: I beg you to act now as if I were an invalid." But the head of the department remained inflexible; on which Dreux said to him: "Sir, you may give my situation to some other person, for I will not retain it by the sacrifice of gratitude and friendship." His master took him at his word, and the young man was thus thrown destitute on the wide world,—a proof of heroism, which more would admire than imitate.

After this dismissal, the first object of Dreux was to acquaint the personal friends of the Abbé Godard of his perilous situation. He particularly apprized Madame Asseline, sister of the bishop of Boulogne; and all bestirred themselves actively to obtain his liberty from the men then in power, such as Petion, Fauchet, Manuel, and others, the chiefs of the provisional committee, who exercised an authority more despotic and unlimited than ever had been pretended to by the old police of Paris,—or rather, a tyranny more oppressive than that of Tiberius or Nero.

During this time the Abbé Godard and his companions suffered all the inconveniences of confinement, the greater number of them sleeping on straw, and living on the coarsest diet, as they had no means of obtaining better food. Some, who had been robbed when arrested, took nothing for three days, and the whole of them were barely kept up above the level of starvation. Among the prisoners was an individual named Charnois, a literary character, who had edited several periodical works, and among others the *Moderateur*, a paper regarded as anti-revolutionary, because it kept within the bounds of decency, but

for that reason criminal in the eyes of the jacobins, who pretended to establish all sorts of liberty, but who would not acknowledge the freedom of the press. Charnois was melancholy and broken in spirit. On the third day, he entered into conversation with the Abbé Godard, and expressed his astonishment at the marked contrast between the placidity and resignation of the priests and the fretfulness and despair of the other prisoners. The Abbé pointed out to him the blessed consolation of religion, and the utter insufficiency of the wild dreams of the French philosophy to afford hope or comfort in adversity. This discourse produced a salutary effect, and, up to the last fatal moment, Charnois lived in comparative happiness.

Up to the night of the 1st of September, the prisoners were kept in ignorance of their ulterior destination. On that night, they commenced removing them to the Abbaye of Saint Germain. All those who were confined in the same chamber with the Abbé Godard were transferred, and on the following day, thirty more victims, who remained, followed them. The circumstance of the removal of the prisoners from the Mairie to the Abbaye, on the evening of the day when the general massacre commenced, is remarkable, because it proves a fact, scarcely credible even in those horrible days, that the same men who had issued out the arrests after the 10th of August, had formed and matured a project to have all their prisoners slaughtered by an infuriated populace. It was consented that these murders should commence on the following Sunday. It became, therefore, necessary to send their victims to the place of execution on the evening of Saturday. The last division left the Abbaye at two o'clock on Sunday, when the massacres had already commenced. The Marseillais, who escorted them, knew this perfectly well; for, during the march, they pointed them out to the people as already devoted to death, and even told them of the fate that was impending: thus did they lead them knowingly to death. As soon as they had arrived at the Abbaye, these unfortunate beings were murdered as they stepped out of the coaches, and not one escaped, except the benevolent Abbé Sicard, the amiable instructor of the deaf and dumb. The friend and benefactor of the human race had crouched down on the bottom of the vehicle, out of which four of his companions had been dragged: he was not immediately seen, and was rescued, almost we might say miraculously, by the courage of a watchmaker, named Monot.

The friends of the Abbé Godard did not slumber during this critical period; but though a report was generally circulated, after the middle of August, that the prisons would be forced, scarcely any one believed that measures would be carried to this dreadful extremity. Moreover, during the agitation that convulsed the capital, there was the greatest difficulty in approaching public men, and still more of obtaining justice; so much so that Dreux and Madame Asseline were unable to effect any thing, even up to the fatal Sunday morning. At this moment the situation of the prisoner became most awful.

Dreux, who had seen the Abbé Godard at the Mairie on Saturday, on returning on the Sunday morning, was alarmed at his removal. He ran immediately to the Abbaye, when he ascertained the exact apartment in which he was confined. From thence, he flew to the residence of Madame Asseline, and depicted the danger of his friend and benefactor in such forcible terms, that she instantly proceeded to Fauchet, whom

he had already solicited to interpose, though without effect, but who, nevertheless, had manifested a disposition to assist the Abbé Godard, whom he had known, in former times, when he was grand vicar of Bourges. As this lady was crossing the Pont-Neuf, to renew her entreaties with this gentleman, the cannon sounded an alarm. The people were collecting in masses: she was terrified, and retraced her steps homeward; and this circumstance was favourable for her friend, as she afterwards ascertained that she would not then have found the Abbé Fauchet; and, in all probability, this first disappointment would have thrown her into a state of despair, and prevented any further exertions on her part. After some pause and hesitation, she recovered her resolution, and set out again to obtain an interview with the Abbé Fauchet, at his house in the rue de Chabanais. She fortunately met him, and renewed her supplications, urging every persuasive argument that could work on his feelings. But Fauchet could do nothing of himself. At this critical moment, nothing but an order, signed by Manuel, the procureur syndic of the committee, could extricate the Abbé Godard from prison: but where was Manuel to be found in this scene of tumult and disorder? And now there was not a moment to be lost. They, however, resolved to make this attempt, hopeless as it seemed; but, extraordinary as it may appear, Fauchet, lifting up the blind of his window, saw Manuel in the opposite house, seated at table with several women of loose character. Madame Asseline pressed Fauchet to send for his friend. He did so. Manuel came, and, after much entreaty, he wrote the following note on the mantle piece. "Gaoler of the Abbaye, release the prisoner Godard, who has not taken the oath, but who, not being a public functionary, is not obliged to swear. The present order will be executed by one of the commissaries of the section of Cordeliers. (Signed) P. Manuel."

Madame Asseline thought that when Manuel delivered the paper, from the sneer on his countenance, it would prove useless, either through some intentional irregularity in the wording of it, or from the delay that would occur in its delivery. Doubtful, however, as she was of success, she hastened to Dreux, who was waiting for her in an adjoining house, and who hurried off with the order to the section of the Cordeliers, to obtain a commissary to execute it. The committee of the section were assembled: they raised every possible difficulty: various constructions, all unfavourable to the prisoner, were put on the order: and they finally declared that the Abbé Godard was suspected of *incivisme*, or disaffection to the country. But Dreux still insisted, and called on them most peremptorily to affix their signature to the order of Manuel, which they at length did, but added a marginal note that the Abbé had not given any bail for his citizenship, intending that this remark should prevent his liberation. After the young man had conquered all these difficulties, he was still unable to find a single commissary to proceed with him to the Abbaye, so fearful were these jacobins of being themselves torn to pieces by the wild beasts they had unchained.

Dreux, nothing discouraged, resolved to attempt the execution of the order by himself. It was now between four and five o'clock after noon, and the massacres had already commenced at the Abbaye. As he approached the prison, he saw Manuel who was attempting to calm the fury of the populace, though perhaps not with much sincerity, and

certainly with very little hope of success. He joined him, and, after relating the refusal of the commissaries of the section of Cordeliers, he entreated him personally to see the order executed. Manuel repulsed him, saying that he came there to discharge his public duty, and not to listen to private petitions, and then commenced haranguing the people. His voice was naturally feeble, and he was inaudible during this tumult. Dreux, to conciliate his favour, repeated his words, phrase by phrase, in a loud tone, and terminated by exclaiming, what Manuel himself probably did not utter: "None but villains would be guilty of such dreadful excesses, and trample all laws under foot." At the word "villains," unpalatable to the ears of such an audience, loud murmurs arose, and menaces were hurled against Manuel and his interpreter. Dreux took the magistrate by the sleeve, warned him of the danger, removed his scarf of office, dragged him out of the crowd, and having called a hackney coach, they returned together to the Hôtel de Ville. Dreux cherished a hope of there finding a commissary, to supply the place of those from whom he had received refusals. On their arrival, Manuel explained the risk they had run, and declared that his life had been saved by the young citizen present. Great applause followed this statement, and one of the members of the committee voted thanks to the preserver of Manuel, and moved that his name be inscribed on the public register. The young man expressed his acknowledgments, but observed that he had done no more than his duty, and objected to give up his name. All that he asked, as a reward for his services, was the attendance of a commissary to execute the order of which he was the bearer: but he again met the same refusal, as at the Cordeliers, and saw himself reduced to his own personal exertions.

To reach the Abbaye, and execute his bold and generous purpose, he had need of assistance, and required to be armed. By chance, he stumbled on a young acquaintance, whom he persuaded to accompany him. They proceeded forthwith to the house in which the Abbé Godard lodged before his arrest; there he obtained a musket and bayonet, and his friend, a sabre. Arrived at the Abbaye, they forced their way through the crowd, and gained the gate of the lower hall, in which Dreux had ascertained from the gaoler that his friend was confined. The avenues were not at that hour blocked up by the populace, who were ignorant of the number of the prisoners, on account of some precautions taken by the gaoler, which we shall presently notice. Dreux now showed his order from Manuel to the gaoler, but he said that he was only one of the subalterns, and that he could not take the responsibility on himself; and he, moreover, remarked, that the order required the presence of a commissary of one of the sections. Dreux laboured hard to conquer this resistance, and offered the gaoler at once an assignat of fifty francs, and two hundred and fifty francs more, when the prisoner was at liberty. The gaoler was now somewhat softened, but still gave no positive promise; and Dreux saw the necessity of not abandoning his post. He assumed the character of a sentinel at the gate, and, under this pretext, he prevented any crowd being collected, observing that if he allowed a group of four, it would soon swell to ten, twenty, or a hundred. To effect this, he kept calling out in a rude and brutal tone of voice, "No one passes this way;" and when any attempted to resist him, he exclaimed, "What! do you wish to force the guard?"

In this apartment were confined about sixty individuals, who had been conducted thither in the night of Saturday and on Sunday morning. No one but an eye witness can adequately paint this torturing scene. The unhappy victims expected death on the morning, from the hints they had received during their removal, and their alarms were increased by hearing the report of the cannon, and the wild imprecations of the mob; and, when the fearful massacre actually commenced, even hope itself, the last mortal comforter in adversity, vanished. Several times, the gaoler entered the apartment, and told them that the people threatened to break in, but that they might be assured of protection, as the national guard would defend them. This, however, was false, for not a soldier of the national guard was present. About seven o'clock, he told them that the prisoners in all the other cells had been slaughtered, but, if they would cease talking, and extinguish their lights, they might have the good luck to be passed by unnoticed. This advice they followed, but they only heard more distinctly the execrations of the people, and the groans of the dying.

The Abbé Godard had observed in the apartment a window, somewhat lofty, but still accessible. He was raised up to it, and perceived underneath a small court-yard, into which it was easy to descend. He apprized his companions of his discovery, who resolved to avail themselves of this chance of escape. The night was advancing, and every moment their situation became more perilous. The Marseillais and the other tigers, in human form, prowled round the spot where they had scented their prey, and collected round the gate in increasing numbers: several had offered to relieve Dreux, but he peremptorily refused, saying that he was not tired; and when some more importunate insisted on taking his place, he made use of their own style of language, saying, "How do I know but that you want me to quit my post to betray the nation? Here I remain as a good patriot."

At length, towards midnight, the ferocious ruffians crowding all the avenues to the apartment in which the prisoners were lodged, and demanding with loud shouts that they should be delivered up, the gaoler, fearing to lose his own life, approached the door against which Dreux was stationed. He merely moved enough to allow the arm of the gaoler to pass between the wall and his body. As he was putting the key into the key-hole, without mentioning the order of Manuel, Dreux, who had put the butt-end of his musket on the ground, pressed the end of his bayonet gently against his side, and looked at him with a pointedness of gesture, signifying that he expected him now to produce the order. The gaoler took the hint, and, at the time that he withdrew the key, he took the order out of his pocket, and addressed the gang of assassins thus: "Gentlemen, I must inform you, before opening the door, that I am the bearer of an order from M. Manuel, procureur of the committee, commanding me to release one of the prisoners now in this apartment."

"An order from M. Manuel," instantly exclaimed Dreux. "M. Manuel is a magistrate of the people, and a good citizen: but I must see the order myself." He then took it from the hands of the gaoler, pretending to examine it, and verify the signature; after which, he read the contents with a loud voice, omitting the clause of the Abbé Godard not having the bail for his citizenship, but dwelling strongly on

the countersignatures of Montmoro, and other agitators of the people, which were appended to the order ; and then putting the paper on the ground that it might be seen by those nearest to him by torch light, (not one of whom in all probability could read,) he called on all of them to obey the commands of the magistrate. The gaoler opened the door, and called out : " M. Godard, come out : M. Manuel releases you." No reply. Dreux and his comrade repeated the summons at the top of their lungs. Still there was a profound silence. The Abbé was no longer in the apartment ! he had passed with eight or ten others, through the window, and descended into the little court-yard.

The despair of Dreux at this moment must have been intense and heart-breaking. He could not persuade himself that his friend was out of the apartment. He seized a torch, and traversed it, calling him by name, inspecting every corner, throwing the light on every countenance, and betraying by his emotions the personal anxiety that he felt for a prisoner, whom till then he had pretended not to know. But he searched in vain, and saw all his efforts fruitless and all his fondest expectations disappointed. Where could he find his friend ? Was he yet alive, or had he been removed to one of the other apartments which the assassins had already dyed with blood ? How resolve this appalling incertitude ? At length his eye caught the window, and he then felt sure that he had escaped through it. His next care was to ascertain what was below the window, and how he could reach the spot.

The lively interest that Dreux had displayed to find the Abbé Godard, and the evident chagrin that he manifested at his want of success, at last rendered him suspected. Some of the brigands, by whom he was surrounded, communicated their suspicions to their confederates : Dreux made no attempt *verbally* to justify himself, for he was sagacious enough to know that he would only have increased his danger : but, with a presence of mind truly astonishing, he rudely seized one of the unfortunate priests by the arm, and dragged him towards the door with menacing words and brutal gesticulations. This unhappy ecclesiastic, who had frequently seen Dreux at the Mairie, when visiting the Abbé Godard, imagined, naturally enough, that, as the young man could not save his friend, he would endeavour to save him instead. He warmly clasped the hand of his supposed liberator. Dreux, discovering the error, by the gestures of this poor creature, experienced a mental pang not to be expressed in words ; but, firmly resolved to rescue his friend and benefactor, he unloosened the hand of the priest, though he knew, powerless however to prevent it, that he would fall among the first victims. At this very moment the general massacre commenced, and all in the apartment fell under the knives of these butchers.

Escaped himself from so imminent a danger, and followed at a distance by his comrade, and a third person, the landlord of the Abbé Godard, who, on his return from the country, had hastened to the Abbaye to ascertain his fate, Dreux now endeavoured to find the gate which led to the small court-yard : in this search he came to a narrow lane bounded by a low wall, which he supposed to form the enclosure of the court-yard : a heap of stones thrown loosely against this wall enabled him to look over it, and verify his conjecture. By the moonlight he clearly saw eight to ten persons, among whom he recognized the Abbé Godard by his lofty stature. While he was making these

Observations, another man mounted on the same heap of stones, but with totally opposite intentions. He was armed with a musket, and was about to fire into the group. Dreux still preserved his presence of mind, and turning himself rapidly round, as through accident he struck the musket from the hands of the assassin, to whom he apologized for his awkwardness, and they both descended together to find it, when Dreux gave him the slip. He immediately joined his two friends, and being now satisfied of the real position of the Abbé, he posted himself at the gate which led into the court-yard. He would have remained here in a state of inaction, if he could have done so ; but the people were collecting in this quarter, and the murderers had arrived. As he had no gaoler with him to restrain the mob, they insisted on bursting open the door. Dreux, having demanded and obtained silence, repeated the order of Manuel to the murderers, several of whom had already heard it at the door of the apartment, and promised to save the prisoner.

The door was now forced : they called the name of Stephen Godard ; he, seeing bayonets fixed and naked sabres, believed that he was about to rush on certain death, and that he was only distinguished from his companions to meet a more cruel fate ; for he had not yet recognized the voice of Dreux. We may imagine his surprise when he saw his friend, who, aided by his two companions, penetrated through the crowd, and seizing him by the arm, dragged him through the small passage which led into the chapel. It was now one o'clock in the morning ; a meeting of the section was about to be held ; the porter had closed all the gates, excepting that through which Dreux and his companions had entered. They were certain that the assassins would immediately pursue into the chapel those who might there seek shelter, and indeed this happened within a few minutes afterwards. After many entreaties and menaces, they prevailed on the porter to open the great gate, and they then rushed forward, pretending that they were in pursuit of some runaways, and shouting, "*Venez par ici ; ils sont par-là. Vive la nation !*" They fortunately escaped another crowd, assembled on the opposite side of the Abbaye for similar purposes, and finally reached in safety the rue Sainte Margueritte.

In thus saving his friend from so many dangers, Dreux was the instrument, under Providence, of performing another good action. A poor priest, who had fled, like them, into the chapel, and not knowing how to get out, was concealed behind the door : on seeing them approach he took them for some of the assassins. This unhappy man had no hat, and wore the ecclesiastical costume, which circumstances greatly increased his own danger, as well as the difficulty of those who might attempt to save him. He was a poor curate, arrested at fifteen leagues from Paris by the Federals, in a *château* where he was on a temporary visit, and for this public crime against the majesty of the people, he was incarcerated in the Abbaye.

One of the young men gave him his hat, and he passed out in the midst of them unobserved in the darkness and tumult. As he had been thrown into prison immediately on his arrival at Paris, he was not provided with any lodging, and it was unsafe to take him to any public house : at length, he remembered an acquaintance who lived at the cloister of Saint Jacques-de-la-Boucherie, whither the landlord of the Abbé Godard conducted him safe and sound.

This narrative, however improbable it may appear in some of its details, is literally true in all its particulars, which the writer collected from authentic sources, during a personal residence in Paris, some fourteen years since, when he knew intimately many of the survivors of the great European tragedy. The wonderful escape of the Abbé Godard is one, among many other instances, to prove that the romance of real life frequently exceeds the romance of fiction. It also shows that the atrocities committed in Paris were perpetrated by a handful of ruffians, and that humanity still asserted her rights, as we have shown, in the courage of Monot, who saved the Abbé Sicard, and the devotedness of Dreux, who rescued the Abbé Godard, both members of the plebeian class, who risked their lives to save two virtuous members of the aristocratic class; all which latter had fled, who could, and left their king and queen to perish on the scaffold. Such is the difference between republican honesty, and the lip-service of loyalty!

THE LACEDEMONIANS.

THERE are few nations, whose legislators have given themselves any trouble to regulate, by positive laws, the manners and common customs of private life. The Lacedemonians must be placed in the small number of people who have had a code for that purpose. The laws of Lycurgus embraced, not only the general police of Sparta, but the domestic economy of its inhabitants. The austerity and rigour of the Spartan discipline are too well known to require any minute notice. It is enough to say, that the most indifferent actions were not free at Sparta. A man there could not live as he himself thought proper; every thing, even the most trifling points of behaviour, were subject to constant and uniform rules.

A Spartan, for example, could not marry when he thought proper; nor see his wife when he pleased; nor stay with her as long as he wished. Neither was he allowed to dress for himself the food he liked best, nor eat in private. Every inhabitant, without distinction, was obliged to take his meals in the public halls, and put up with what was laid before him. The tables consisted each of fifteen persons, who had their separate messes; and they were seated on coarse benches.

Even their kings were not exempted from these restraints. Agis, at his return from a great victory over the Athenians, thinking he might sup at home with his wife, sent for his portion; but the polemarchs refused him that small favour, and obliged him to come and eat at the public tables.

The Spartans had no opportunity of satisfying sensuality, or even gluttony. The victuals, served up to their tables, were neither delicate in themselves, nor cleanly prepared. They consisted of bread, wine, cheese, dry figs, and some scraps of ill-dressed meat; and that too in quantities just sufficient to support nature. The most exquisite of all these dishes was a kind of broth, known among the ancients by the name of *black sauce*. It is impossible at this time of day, to state exactly what this *ragout* was; but if we may judge of its goodness, from what the ancients say of it, the black sauce of Sparta must have been one of the most ordinary dishes. It was a crime at Sparta to appear too fat and too well fed. After eating and drinking very moderately, they returned home in the dark, for they were expressly forbid to suffer any light to be carried before them.

The restraint and rusticity, that appeared at the tables of the Lacedemonians, were equally visible in their dress. Winter and summer they wore the same garments, which was short and very coarse. They never shaved, but on the contrary prided themselves on very long and very bushy beards. Their greatest ornament was the beauty of their hair, which they wore very long, and took great care of, parting it equally on both sides of the head. In every other respect, the Lacedemonians were dirty and nasty about their persons, as it was not lawful for them to bathe or make use of perfumes but on certain days. After all, their clothes were not to appear ragged or torn, and they who did not take sufficient care of them were sure to be punished.

The Spartans were neither freer nor nicer in their houses and furniture than in their tables and their dress. Of this we may judge by a law which Lycurgus enacted to regulate these articles. This law ordered that the floors of their houses should consist of planks fashioned by the wedge, and the doors of boards made by the saw, without the help of any other tool. Such houses, according to the intention of the legislator, could not subject their inhabitants to any temptation of luxury or expense. In fact, as Plutarch judiciously observes, what man would be fool enough to bring into houses, constructed in that rude manner, sumptuous beds, purple coverlids and carpets, vessels of gold and silver, or, in fine, any other kind of rich furniture?

The pleasures and amusements of the Spartans were of a piece with the articles we have already mentioned. Their diversions were of the most serious kind, with very little variety to recommend them. They knew no other amusement but hunting, and the different bodily exercises, among which dancing must be included; for, as it was practised by them, it was scarcely more than a military exercise. They had indeed a kind of music, but it was very simple, not to say, altogether rustic. Every thing, in short, that could properly be called pleasure or amusement, was banished from Sparta. Even theatrical representations were not allowed there, though so much admired by all the other cities of Greece.

The domestic and private occupations of the Spartans were still, if possible, more confined, and subject to greater restraint, than their pleasures and amusements. The inhabitants of Sparta must have been wholly unacquainted with domestic economy, with lawsuits, and every other kind of business, since they held all their goods in common, and never meddled in any trade; all sorts of commerce being strictly prohibited among them. Nay, they could not so much as exercise any of the mechanical arts, or handicraft employments, or even cultivate their own lands; this was left entirely to the care of slaves. As to the sciences and the *belles lettres*, it is well known that they were never held in any honour by the Spartans. This people contented themselves with learning just as much of these things as were sufficient for the commonest purposes of life. We may, therefore, affirm that the Spartans, according to the intention of Lycurgus, had very little to do during the greatest part of their lives. Accordingly, we find them spending their time in conversing and disputing in their common halls, where they daily assembled for that purpose, and, what is more, the subjects of these conferences were confined and regulated by law. Such was the life of the Lacedemonians, which gave rise to the *bon mot* of Alcibiades, so famous among the ancients. On hearing their contempt of death greatly extolled, he said, "I do not wonder at it, it is the only way they have of escaping the restraint, and wearisomeness of life, which they are continually obliged to lead."

In fact, the Spartans were condemned, from the womb, to this dull and austere kind of life, for parents among them were not entrusted with the education of their own children, who, the moment they were born, were delivered into the hands of a certain number of persons appointed to rear them ; so that all the children of Sparta were fed, clothed, and lodged, in a word, treated in every respect in the same uniform manner. Nothing could surpass the severity and harshness with which they were brought up. They were never permitted to make more than one slight and slender meal daily, scarcely sufficient to support nature. They were forced to go constantly without shoes or stockings, covered only with a simple cloak. They were even obliged to perform most of their exercises quite naked ; they lay, besides, very hard, and were not allowed any of those recreations or amusements with which it is so common to indulge young people. Instead of this, they were continually harassed with serious questions, which they were obliged to answer, both readily and pertinently, and withal assign their reasons for answering in this or that manner : otherwise, they were sure to be severely and unmercifully punished. Thus were the children of the Lacedemonians kept in perpetual durance and restraint, as they could not stir a single step, without some one or other at their elbow to call them to a severe account for the slightest faults.

This pedantic rigour of Spartan discipline had but too much influence on their manners. It made them contract a harsh and severe, not to say, a savage and cruel disposition. Of this no other proof is required than their treatment of their slaves, so well known among the ancients by the name of Helots. They were so called from Helos, an ancient city of Laconia, which the Lacedemonians attacked. Having made themselves masters of it, they reduced all the inhabitants to a state of slavery. In process of time, as often as the Spartans, in consequence of new conquests, acquired new slaves, they called them Helots. Thus a particular denomination became general for all those who were afterwards reduced into slavery by the Lacedemonians. They treated them with greater harshness and barbarity than civilized nations treat their beasts of burden. The owners of these slaves were expressly forbidden to give them their liberty, or sell them out of the territory of Laconia. The Spartans carried their cruelty to such a degree, as to oblige the Helots to receive annually a certain number of lashes, without having committed any offence,—that they should not forget their obedience. If any one of these unfortunate slaves seemed, by his beauty or comeliness, to rise above the condition to which he was born, he was put to death, and his master fined, that he might, by dint of ill usage, hinder his surviving slaves from offending at any time, by their exterior qualities, the eyes of the Spartans. A cap and dog-skin jacket was the dress of the Helots. It was lawful to punish them for the slightest transgression, nor could they, however inhumanly treated, claim any protection from the laws. Such was the excess of their misfortune, that they were at once the slaves of private persons and of the public. It was lawful to lend them from one Spartan to another. In fine, to complete the misery and degradation of these unfortunate creatures, their masters often obliged them to drink to intoxication, and in this condition exposed them to the view of the children, to inspire them with horror for a vice which so much debases human nature.

The Spartans often added fraud to cruelty, in order to cut off these unhappy victims, when they multiplied so fast as to give them any

embrage. History, for example, informs us, that, at a certain time, the Lacedemonians, jealous of the number of Helots dispersed over the country, and desirous to get rid of them without running any risk, feigned an intention to set several of them at liberty, in order, it was said, to incorporate them among their troops. Under this pretence, the stoutest and ablest of the Helots were invited to come in and offer themselves for enrollment, and accordingly numbers of them, full of courage and good will, assembled themselves for that purpose. From among these, the Spartans selected two thousand, whom they deemed most capable of any great enterprise; and, having crowned them with flowers, led them in great pomp to the different temples of Lacedemon; but soon afterwards these two thousand Helots disappeared, without its ever being known what became of them.

Upon another occasion, some Helots, who were condemned to death, (it is not known for what crime,) having taken refuge at Tenaros, a promontory of Laconia, where Neptune had a temple that was held in great veneration, the Ephori were not afraid to drag them from this asylum and lead them to punishment. This action has even revolted profane authors, who have all considered the earthquake which happened at that time, and was the most awful that had till then been heard of, as the effect of Neptune's resentment against the Spartans, for thus daring to violate the sanctuary of Tenaros.

What shall we say, in fine, of that abominable custom mentioned by ancient authors, under the name of *AMBUSCADE*? What they relate of it, is as follows. From time to time, the persons entrusted with the education of the Lacedemonian youth, picked out from among their pupils some of those who appeared to have the greatest share of courage and conduct; put poniards into their hands, and gave them provisions for a certain number of days: they then sent the young men out armed in this manner, with orders to hide themselves by day, in some caverns or other lurking places. At night, the young men sallied out from the ambuscade, and dispersing themselves over the high roads, massacred all the Helots they could put their hands upon; a cruelty the more easily perpetrated, as the victims they attacked were never permitted to carry any arms. Sometimes these assassins went their rounds in broad day-light, and murdered those of the Helots who seemed to have the greatest strength and the best constitution.

The treachery and cruelty with which the Lacedemonians treated their slaves, they very often employed against those whom they wished to oppress. Alcibiades, with whose capacity and bravery the Lacedemonians were well acquainted, had been obliged to take refuge at the court of the younger Cyrus, brother of Artaxerxes, king of Persia. He was there but a short time before he discovered the secret designs of this prince, and saw into the object of the preparations he was making. Alcibiades, whose mind was bent on the means of restoring his oppressed country, thought he could not fail of success, if he could but inform Artaxerxes of the projects formed by Cyrus against his person. In fact, so important a discovery must have infallibly ingratiated him with that monarch, and procured him the assistance he wanted to re-establish the affairs of Athens. Alcibiades, full of this idea, set off for Persia. But the Lacedemonians, informed of the motives of his journey, and convinced that they were undone without some resource, and unless they found means to rid themselves of him, had recourse to the blackest treachery to compass their designs.

This great man happening to be, at this juncture, in the government of Pharnabazes, the Lacedemonians wrote to this satrap to engage him to free them, cost what it would, of so formidable an enemy. Accordingly, Pharnabazes, overcome by their offers and promises, did every thing they required, and caused Alcibiades to be murdered.

The use the Lacedemonians made of the advantages obtained by them over the Athenians in the Peloponnesian war, would alone be sufficient to cover them with eternal shame and infamy. They exercised in that city, so dear to the rest of Greece, the most shocking cruelties. They put to death, says Xenophon, a greater number of her citizens, in eight months of peace, than her enemies had killed in thirty years of war. All the persons of consequence who still remained at Athens, having at last left it to find elsewhere an asylum, the Lacedemonians were so inhuman as to attempt to deprive the wretched fugitives of that last resource. They published an edict, forbidding the other cities of Greece to receive them; ordered that they should deliver them up to the thirty tyrants, who, at that time, ravaged Athens; and laid a fine upon all those who presumed to disobey their commands.

The manner in which the Lacedemonians behaved, nearly at the same period, towards the inhabitants of Syracuse, proves still more strongly what kind of spirit animated them, and what was the real ground work of their policy. The Syracusans were then disputing their liberties with Dionysius the tyrant, and had just received a severe blow. In these circumstances, the Lacedemonians deputed one of their citizens to repair to Syracuse, who was falsely to express great concern in the misfortunes of that city, and offer it their assistance, but, in fact, to confirm Dionysius in the resolution to maintain his ground. They hoped that this prince, when become very powerful, would be of great service to them. In fine, Herodotus, speaking of the Lacedemonians, affirms in very plain terms, that those, who knew the genius of this people, could not deny that their actions generally contradicted their words, and that no dependence could be placed on their engagements. What ideas must not such instances give us of the true character of the Lacedemonians?

They also practised the most horrible barbarities among themselves. At an annual festival in honour of Diana, they used to whip, till covered with blood, all the children of Sparta, on the altar of that inhuman goddess. How brutal to tear to pieces, with rods, the bodies of these innocent victims, on pretence of accustoming them to bear pain with fortitude! This cruel discipline was often carried to such an excess, that many poor children expired under it. It was performed in presence of the whole city, under the eyes of fathers and mothers, who, seeing their children covered with wounds and blood, exhorted them to suffer without complaining, or shewing the least sign of pain, the number of lashes they were awarded to receive. What name is bad enough for this pretended firmness of mind?

What too are we to think of the virulence with which the young people of Sparta fought each other on certain days of the year? They divided themselves into two bodies, who repaired by different roads to a place of rendezvous first agreed upon. The signal given, they fell upon each other with hands and feet, at the same time biting one another with all their force, and even tearing out one another's eyes. "You may see them," says Plutarch, "fighting outrageously, now one against one, now in small bodies, now, in fine, pell mell, each body making the greatest

efforts to drive the others back, and tumble them into the water, by which the field of battle is surrounded."

What are we likewise to say of that more than inhuman courage with which a Spartan mother received the news of her children being killed in battle? This loss, far from drawing tears from her, inspired her with joy, which she did all that lay in her power publicly to demonstrate. These women, however, displayed the greatest despondency and pusillanimity when they saw Epaminondas, after winning the battle of Leuctra, march straight on to Sparta. They ran about in the greatest consternation, filling the air with their lamentable cries, and thus caused more disorder and confusion than the enemy. Where was all this time that savage courage, that barbarous ostentation, with which the women of Sparta took pleasure in insulting nature, on occasions so unseasonable, as that of their hearing of the loss of their children?

We cannot omit noticing the trial held at Sparta, on the bodily disposition of children, at the time of their birth. The moment a male child came into the world, he was carried to an appointed place, where the old men of every tribe assembled to examine him. If he appeared delicate and weak, or of a constitution that did not promise a lasting and vigorous life, he was unmercifully condemned to perish, and immediately cast into a great quagmire at the bottom of Mount Taygeta.

What we have already related will be sufficient to prove that the Spartans, on every occasion, seemed to make it their business to stifle the voice of nature; and that, often contrary to every dictate of reason and prudence. Experience, in fact, teaches us, that numbers of children, whom, in the first days after their birth, it was thought impossible to rear, have attained, as they grew up, a sound and vigorous constitution. Of this we may find, even in Sparta, a most convincing proof. Agesilaus, who was born lame, appeared, on his coming into the world, so very weak and tender, that it was thought impossible to rear him. Notwithstanding this, Agesilaus lived to the age of fourscore and four; and what services did he not render to his country in the course of that career?

The austerity, not to say, the pedantry of these laws of Lycurgus, might perhaps induce us to believe that chastity was one of the principal virtues with which he endeavoured to inspire his people. But this would be a great mistake. How surprised must we be to find that this famous legislator had not the least thought of securing any respect for public decorum and good manners! To what a degree, in fact, must not modesty, bashfulness, and decency, have been offended by the use of public baths, common to men and women? by those games, in which the young people of both sexes fought and danced with each other quite naked? What a pernicious influence must such practices have had on the morals of the Spartan women? They were indeed so dissolute and abandoned, that the ancients reproached the Spartans with it, as an excess which distinguished them, to their shame, from all the other inhabitants of Greece; moreover, this excess was authorized by the laws of Lycurgus. This legislator seems to have racked his brains to find out the best methods of abolishing all the ideas we ought to entertain of conjugal felicity.

An old man, for example, who had a young and handsome wife, might, without shocking either law or decency, make an offer of her to a vigorous and handsome young man; and it was lawful for this old man to consider and bring up as his own, the fruits of this adultery. What is more, a man of good family, and advantageous stature, who happened to fix his

eyes on the beautiful and agreeable wife of another, might apply to the husband for leave to cohabit with her, on pretence of giving the state well-made and handsome children ; and it was not lawful for the husband to deny such a request. The Lacedemonians, in a word, lent each other their wives with the greatest ease imaginable, and without the least delicacy. Their history supplies us with an event of this kind not to be met with in any other.

In the war which the Lacedemonians had declared against the Messenians, the former had obliged themselves, by the most dreadful oaths, not to return to Sparta, till they had obtained vengeance for the outrage they had received. But this war lingered so long, that, after ten years' siege, the Spartans, before Messen^é, found themselves as little advanced as when they first began it. They then began to fear, lest a longer absence should insensibly depopulate their city. To prevent this misfortune, they took the strange resolution of sending back to Sparta all those who had joined the army since it had taken the oath above-mentioned, and of abandoning to them the wives of those who were obliged to remain behind. The children, sprung from this illegitimate commerce, were called *Parthenians*, a name which expressed the origin and cause of their birth.

The indecent manner in which the women of Sparta dressed themselves, was the natural consequence of the bad education they received, and of the little care taken to inspire them with that bashfulness and reserve so becoming their sex. Their gowns were so loose that they could not put one foot before the other, without uncovering their legs to a height that shall be nameless, an indecency highly exclaimed against by all the writers of antiquity. Aristotle wisely observes, that the little regard paid at Athens to decency, was the source of all the disorders that reigned in that city. In the *Andromache* of Euripides, Pel^{eu}s tells Men^{ela}us, that the dissolute behaviour of Helen was entirely owing to the bad education which that princess had received.

Let us now, from all that we have narrated, collect the general and prevailing character of the Lacedemonians. They were, without doubt, of all the nations of Greece, the bravest and most warlike, the best skilled in the military arts, and the most diplomatic ; the truest to their maxims, and the most constant in the pursuit of their designs. But, at the same time, they were imperious, severe, treacherous, intractable, haughty, cruel, and faithless ; in a word, capable of sacrificing every thing to their ambition and interest, and without the least esteem for the sciences and fine arts. And, indeed, Lycurgus seems to have had nothing more in view than to fortify the body. It does not appear that he ever thought of forming the heart, or of cultivating the mind. How then can we be surprised that the character of the Lacedemonians, naturally harsh and austere, often degenerated into downright savageness,—a vice which took its rise from their education. It was impossible that people, who passed their whole lives in giving or receiving instructions of the quality we have described, in gravely delivering precepts, or in listening to those of censors, whose lessons were always accompanied with rigour and severity ; it was impossible, we say, that such men should contract a gentle and humane way of thinking ; or to be able to render their intercourse in life agreeable. The Lacedemonians, in short, seem to have wilfully shut their eyes to the most precious advantages of humanity. Such were the manners and genius of a people, admired by all profane antiquity, and proposed by it as a model of wisdom and virtue.

Sparta, moreover, supplies us with an instance of that proneness with which men run from one extreme to another. When, in consequence of the victories gained by Lysander, gold and silver found their way into his republic, and tempted the Spartans to throw off their ancient austerity of manners; these so much celebrated Spartans immediately gave themselves up to every excess of debauch and luxury. The softest and most magnificent beds, the easiest cushions, the most exquisite wines and perfumes, the most delicate dishes, the most precious vessels for materials and workmanship, the richest and rarest carpets, were scarcely sufficient to satisfy their newly acquired sense of factitious refinement. Nothing, in short, was capable of satisfying their insatiable luxury. It then became a proverb in the mouth of every Greek, that gold and silver could be easily discovered going into Sparta; but that neither of those metals were ever seen to leave it.

TACITURNITY, AN APOLOGUE.

AT Amadan, was a celebrated academy, the first statute of which ran thus: The academicians are to *think much, write little*, and, if possible, *speak less*.—This was called the silent academy; nor was there a sage, in Persia, who was not ambitious of being admitted a member. Zeb, a profound scholar, and author of an excellent little book called the *Gag*, heard, in the distant province where he lived, that there was a vacancy in the silent academy. Immediately, he departed for Amadan, and, on his arrival, presented himself at the door of the hall, where the academicians were assembled, and sent in the following letter to the president:

“Zeb, a lover of silence, humbly solicits the vacant place.”

The letter arrived too late: the vacancy was already supplied. The academicians were almost in despair; they had received, somewhat against their inclinations, a courtier, who had some wit, and whose light and trifling eloquence had become the admiration of all his court acquaintances; and this learned body was now reduced to the necessity of refusing the sage Zeb, the scourge of babblers, the perfection of wisdom.

The president, whose duty it was to announce this disagreeable news to the sage, scarcely knew in what manner to discharge his office. After some reflection, he ordered a flagon to be filled with water, and so full that another drop would have made it run over. He then desired the candidate to be introduced.

The sage appeared, with that simple and modest air which generally accompanies true merit. The president rose, and, without speaking a word, pointed, with affliction in his looks, to the emblematical flagon so exactly full.

The sage understood that the vacancy was supplied, but, without relinquishing hope, he endeavoured to make them comprehend that a supernumerary member might, perhaps, be no detriment to their society. He saw on the floor a rose-leaf, picked it up, and, with care and delicacy, placed it on the surface of the water, so as not to make it overflow.

All the academicians immediately clapped their hands, in token of applause, when they beheld this ingenious reply. They did more,—they broke through their rules in favour of the sage Zeb. The register of the academy was presented to him, and he inscribed his name. Nothing

remained but for him to pronounce, according to custom, a single phrase of thanks. But this new, and truly silent, academician, returned thanks without speaking a word.

In the margin of the register he wrote the number one hundred, (that of his brethren,) and then put a cypher before the figures, under which he wrote thus :

0100

Their value is neither more nor less.

The president with equal politeness, answered the modest sage, by placing the figure one before the hundred, and by writing under thus :

1100

Their value is ten-fold.

LIFE AND DEATH OF YOUNG NAPOLEON.

WHEN Napoleon was bombarding Vienna, the Archduchess Maria Louisa lay upon a sick bed, from which she could not be removed. Upon ascertaining this fact, he ordered that the batteries should not be suffered to play upon that quarter of the city in which the imperial palace stood. He was afterwards married to this princess. The espousals were celebrated at 871 Vienna on the 11th of March, 1810. Berthier, prince of Neufchatel, represented the person of Napoleon, the Archduke Charles that of the Austrian Emperor. Within a few days after the performance of the ceremony, the Empress of the French, accompanied by the Queen of Naples, set out for her adopted country. On the 28th of the same month, a single horseman met the bridal cavalcade at Soissons; he rode up to the lady's carriage, and introduced himself as her husband. She exclaimed, "Your Majesty's pictures have not done you justice." They passed the night at the Chateau of Compiègne. On the *first of April* the municipal marriage took place at St. Cloud. The religious ceremony was repeated on the following day in the great gallery of the Louvre, with all the pride and circumstance of imperial splendour. Rejoicings, the most magnificent,—balls, concerts, illuminations,—followed : but, in their course, an accident occurred, which many, and especially the emperor himself, regarded as a dread omen. At a fête given by Prince Schwartzberg, a temporary dancing room, erected in the garden, caught fire : the attempt to check the progress of the flames proved unavailing : the prince's sister and a number of other persons perished. It was remembered that a great calamity had, in like manner, marred the rejoicings in honour of the ill-starred nuptials of Louis the Sixteenth and his Austrian bride, the grand-aunt of the empress, the unfortunate Marie Antoinette. In consequence of the fall of a scaffold in Rue Royale, and the crush attending it, three hundred persons who had assembled to witness a display of fire works in the Place Louis the Fifteenth, were either killed on the spot or subsequently died of their wounds.

The immediate event, and the recollections with which it was associated, were impressed deeply on Napoleon's mind. He remembered it in the triumphant day of Dresden—a day in which the genius and fortune of "the great gainer of battles" was most conspicuously displayed; he remembered it in thunder, lightning, and storm, and the conflict of 400,000 combatants. When by the direct and solemn interference, as it would seem, of the unfailing Nemesis, he struck down with his own hand the traitor Moreau, he saw, from the consternation displayed amongst the group against which he had pointed the cannon, that some person of high consideration had been slain; he erroneously fancied that the victim must have been Schwartzberg, the commander-in-chief, and lamented aloud that the lot should have fallen upon him: but added, "*He, then, was the victim whom the fatal fire at the ball indicated; I always regarded it as a presage—it is now plain whom it concerned.*"

The empress did not exhibit signs of pregnancy as soon as Napoleon could have desired. He became alarmed, and eagerly consulted his physicians upon the subject. It was attributed to her too frequent use of the warm bath; this was discontinued, and the desired consummation speedily came to pass. She was seized with the pains of labour on the 19th of March, 1810; they were trifling during the night, and had ceased altogether before six the next morning, and the empress fell asleep. Soon, however, she was awakened by the most acute pangs, which continued for a time without leading to the natural results. Napoleon, wearied by his attendance on his wife, had retired to the bath when he saw her sunk in repose. Dubois, the accoucheur, appeared before him, and stated, in great agitation, that the case was a peculiar and a difficult one. "She is only a woman," exclaimed the emperor; "treat her as though she were a bourgeoisie of the Rue St. Denis." This, in some measure, restored the operator's confidence. The emperor, flinging on a dressing gown, rushed into his wife's apartment, and, clinging to her embrace, remained until his feelings overpowered him by her side; he then placed himself in the ante-room, receiving intelligence each moment from the ladies in waiting of the progress of that scene which he was unable to contemplate. Dubois took him aside, and inquired in a faltering voice, "Which life was to be preserved in the event of its proving impossible to save both?" "The mother's," he replied, in the bitterness of anguish; "it is her right." Both, however, lived: the emperor was delighted. He had long been the greatest, he now considered himself the most fortunate, of men. Alas, for our vain imaginations, the phantasmata of our beliefs, the sad illusion of our hopes! It would have been well for themselves, well for him, well for human nature, had they both then died. But he dreamed not that the son of his pride, and the wife of his bosom, would prove the sorrow and the shame of Christendom; that the one would be notorious as a lewd, false woman, and the other pitied by his fellow-puppets in life's drama, as the most miserable of created beings.

Napoleon Francis Charles Joseph Bonaparte was, then, born on the 20th of April, 1811. The labour lasted for five and twenty minutes: the feet presented themselves in the first instance. It was necessary to resort to the use of instruments; there was great difficulty in extricating the head. For seven or eight minutes the child appeared perfectly black, and exhibited no signs of life; some drops of brandy were blown into his mouth, and he was gently patted all over the body with the palm of the hand; at length he uttered a feeble cry, and Napoleon, seizing him in his arms, presented him to the great officers of state, with the rapturous exclamation, "It is a king of Rome!" The cannon then thundered forth their hundred volleys (the appointed number), and all Paris testified the most extravagant delight at the happy fulfilment of the emperor's most cherished wish.

There is very little to be told about the unfortunate child of so many fond and glorious hopes. He lived and died a prisoner—the most wretched prisoner, perhaps, in the world's story; for he was almost from infancy enthralled alike in mind and body; and his faculties, physical and mental, were ruthlessly sacrificed to his safe keeping. He is reported to have himself said, "My birth and death will be the only points of remembrance!" It is even so. What boots it to relate that he was styled by his father "*King of Rome*," a title in itself of evil omen; that in 1815 he was proclaimed by the prostrate conqueror of nations, "Napoleon the Second, Emperor of the French;" that on the 22d of July he was deprived of all his proud imperial titles by his grandfather, the Emperor of Austria, and declared Duke of Reichstadt, a petty Bohemian territory; and that in July, 1832, he died of pulmonary consumption, in his 22d year, a number of years exactly corresponding with the number of cannon which assured the anxious Parisians that an heir had been born to the empire. (Twenty-one only were to have been discharged for a girl: the roar of the twenty-second proclaimed the King of Rome.) And yet, nothing farther is certainly known about the boy since he left the father-land.

When the glory, power, and honour of his father were transcendent, and the young Astyanax was the delight of all eyes and the "observed of all observers," there are many stories related of him; they are interesting, because "the boy is father to the man." The instances of his kind interference in behalf of the distressed may be passed over; they were undoubtedly the work of his excellent governess, the Countess Montesquiou; but there are two anecdotes told of him which did really seem to promise great things, from the tone and temper of mind which they displayed:—The child was much attached to strawberries; they invariably made him ill: he persuaded his nurse one day to procure some for him, promising solemnly not to tell who had given them to him. He was, as usual, seized with vomiting, and caught in the fact by his mother and governess; but, notwithstanding the violence of the first and the remonstrances of the other, he could not be induced to confess who had provided him with the forbidden fruit. On another occasion, he was playing in the gardens of the Thuilleries with the son of a lady in waiting (Albert de Froment), a mere child like himself. They quarrelled about a toy, and his playmate threatened to strike the King of Rome: "Ah," said he, "if anybody saw you!" "There is nobody near," replied the other; "and I am not afraid." "Ay," said the son of Napoleon, "and you know I would not tell!"

The kingdom of Napoleon passed away, and his heir was transported to foreign lands. The boy cried bitterly on leaving the Thuilleries; and it was necessary to use absolute force in placing him in the carriage which bore him away from his hard-won inheritance. The Countess Montesquiou, his governess, with a rare devotion, accompanied him. The child loved her, the emperor was most grateful to her; she was virtuous, gentle, highborn, and discreet; yet the empress hated her. This is one of the worst traits in the history of this cold-hearted yet loose woman.

After the young Napoleon's departure for Germany, nothing upon which we can place implicit reliance is recited of him. His keepers alone can tell whether he inherited a portion of his father's spirit and genius, as some believe; or whether he really was, as others say, a creature weak in mind and body from the first. The most detailed account that has been given to the world respecting him, in his captivity, is from the pen of M. Méry, the fellow-labourer of M. Barthelemy in certain political poems; in which, by the way be it observed, there is far more of politics than poetry. Méry went to Vienna for the purpose of presenting a copy of one of these works, "*Napoléon en Egypte*," to the son of the Great Fire-Sultan. He waited on the tutor, Count Dietrichstein, to obtain the necessary permission; but without success. He gives the following account of his conversation with the count, and thus details all he could learn respecting the young Napoleon, in the notes to a poem entitled, "*Le Fils de l'Homme, ou Souvenirs de Vienne*:"—

"He (Dietrichstein) was, I soon found, aware of the works I had produced, in conjunction with M. Barthelemy; and having purposely provided myself with a copy of our last production, I presented the same, which was most graciously accepted.

"M. le Conte," said I, "since you so far deign to favour me, I feel emboldened to supplicate that you would render me assistance on the subject that has prompted my visit to Vienna. I came for the express purpose of presenting a book to the Duke de Reichstadt, than whom no person is so capable as yourself of seconding my views. Scarcely had I pronounced the opening words of this humble solicitation, than I saw the features of the count assume a different expression, who, after a silence of some seconds, made answer:—

"Is it really a fact, Sir, that you have journeyed to Vienna for the purpose of having an interview with the young prince? Who could have prompted you to undertake such a step? Is it possible that you can have calculated on the success of your journey? If such be the case, they must entertain very false and ridiculous ideas in France concerning what occurs at Vienna."

"My reply was, I had no mission whatsoever from any one to fulfil in visiting Austria; that the journey was my own act and deed; while in France, a general opinion prevailed, that there was no difficulty in procuring an introduction to the Duke de Reichstadt; and that it was publicly believed Frenchmen were welcomed by him with particular cordiality. Perhaps, added I, my zeal may appear somewhat importunate; yet, consider, Monsieur le Comte, I have just published a poem on the subject of Napoleon; and is it then singular that I should be desirous of laying the production at the feet of his son? Do you imagine that a literary homage of this description can have any hidden motive? It only remains with yourself to certify to the contrary. I do not wish to confer with the prince alone; it shall be in your presence; nay, before ten persons, if requisite; and should a single word escape my lips which could tend to awaken the most hidden policy, I am resigned to spend the remainder of my days in some Austrian fortress.

The Grand Master then proceeded to state, that all the reports disseminated in France, on the subject of individuals having been admitted to the Duke de Reichstadt, were false; that he was fully persuaded the motives of my journey were purely connected with literature, and had no reference whatsoever to political views; that, nevertheless, it was impossible for him to trespass on his orders; that the commands issued on the subject of such instructions were peremptory; that the measure was not the result of momentary caprice, but a premeditated system pursued by the two courts; that they did not apply to me personally, but to every one who should attempt to approach the prince, and that it would be highly improper I should take anything to myself: in short, added the count, what ought to excuse the rigorous conduct pursued, is any attempt that might be made upon the person of the young prince.

"True, said I, in answer; an attempt of that description is always to be apprehended, for the Duke de Reichstadt is not environed by guards; a resolute assassin might, at any time, surprise him, and a second of time would suffice to perpetrate the deed; your caution, however, on that side is defective. In the present instance, you are, perhaps, apprehensive that too free an intercourse with strangers should reveal secrets to him, and give birth to dangerous hopes; yet, notwithstanding all your rigour, is it possible to prevent a letter being openly or clandestinely conveyed to him? A petition, or advice, for instance, might be handed to him while taking the air, at the theatre, or any other place. I, myself, instead of frankly addressing you as I have done, might have placed myself in his way, and then boldly approached him, and, even in your presence, remitted to his hand a copy of my poem. You see, I might by that means have rendered all your precautions nugatory, and accomplished my purpose (in an unlicensed manner I allow), but, at the same time, it is equally certain that the prince would have received my work, and perused it: at all events he would have known the title,

"The Count Dietrichstein then replied, in a manner that curdled my blood with astonishment:—*'Hear me, Sir; rest assured, that the prince neither hears nor reads anything but what we are willing he should be acquainted with and witness. If by chance he received a letter, a slip of paper, or a volume, that had escaped our vigilance, rest assured his first care would be to hand it over to us, ere he proceeded to inspect the contents; he would not take upon himself to glance at the writing until we had pronounced that he might inspect the same without danger.'*

"From this it appears, count, that the son of Napoleon is far indeed from enjoying that freedom which we suppose is accorded him.

"*The prince, Sir, is not a prisoner—but* he is placed in a very peculiar situation. May I solicit you will importune me by no more questions? I have it not in my power to give you the satisfaction you require; I beg you will abandon the project which led you hither: I repeat, your labour will be fruitless."

"If such be the case, count, you debar me from indulging a hope. I most certainly cannot think of addressing myself in any other quarter after such a decided interdict upon your part, and I feel that it would be useless to renew my importunities; but, at all events, you certainly cannot refuse to present my little work yourself, in the name of the author; he has, no doubt, a library, and this production is not of such a dangerous nature as to be expunged from the collection.

"The Count Dietrichstein shook his head, in token of irresolution. I felt convinced that it became painful to him to pronounce a second refusal during the same interview; consequently, not being desirous to compel him to enter into a more ample explanation, I took my leave, requesting that he would peruse my poem, in order to convince himself that it contained nothing of a seditious tendency, and to lead me to indulge a hope, that after such assurance, he might comply with my last solicitation.

"At the end of a fortnight, I again called upon the Grand Master, and renewed my former application. He was obviously astonished at my determined perseverance. 'I really do not understand you, Sir,' said he; 'you wish to see the prince becomes too importunate: rest satisfied in knowing that he is happy, and divested of ambition: his career is already traced out; he will never approach the frontiers of France; *he will not even indulge a thought of the kind.* Repeat all I have said to your fellow-countrymen; let the veil of deception be torn from their eyes, if it is possible. I do not wish to bind you to secrecy respecting anything I have uttered, nay, the very reverse: I beg that, on your return to France, you will publish every word, and annex your own comments. In respect to remitting the copy of your work, do not expect that I shall comply; your book, as a poem, is very clever, but it would be dangerous in the hands of the son of Napoleon: your style abounding in imagery, the glowing descriptions you give, and the lively colours in which your history is traced; everything, in his youthful brain, might excite enthusiasm, and kindle those germs of ambition which, without any possible result, would only serve to give him a distaste for his actual situation. Of history, he knows every thing which it is essential for him to learn, that is to say, names and dates; consequently you must be well aware that your pamphlet is by no means adapted for his perusal.'

"I still interceded for a time, but found that the Grand Master no longer attended to me with civility; when, not desirous to weary myself by fruitless importunities, at the same time fully convinced that I had indulged in a fruitless hope, I looked upon this visit as a farewell audience, and had nothing left but to retrace my steps to France.

"Until the moment of my departure, I continued to visit the persons who had uniformly interested themselves so much in my behalf. On one of those occasions, I learned the following anecdote of the Duke de Reichstadt, which particularly struck me. I have it from an undeniable source, and did I not apprehend that some ill might result to my informant, I should give the name to the public. Let the reader, therefore, remain satisfied with knowing that the lady is in the habit of familiarly conversing with the prince almost daily:—On a recent occasion the Duke de Reichstadt seemed absorbed with some idea that appeared to have permanently taken possession of his mind: he did not attend to the accustomed course of his studies; when, on a sudden, striking his forehead with vehemence, at the same time testifying a degree of impatience, he suffered these words to escape him: '*But what do they intend to do with me then? do they imagine that I possess the intellects of my father?*'

"Hence we might be led to infer, that the rampart whereby the young prince was environed had been scaled; that some letter or indiscreet slip of paper had reached him; and that for once he had dared infringe upon the commands prescribed, of his never perusing a line which had not first met the eyes of his preceptors.

"It was at the theatre of the Count (Hoftheater) where I first had a sight of the Duke de Reichstadt, the house being remarkable for the plainness and

implicity of its decorations. They perform, indiscriminately, both comedy and tragedy, and even low farces that would disgrace our third-rate play-houses. The young prince took his seat rather at the back part of the box; his visage was pale and melancholy, and no testimonials of applause were manifested on his arrival. His regard was constantly rivetted on the business of the scene; he scarcely ever directed a glance at the audience; and on quitting the box the same silence prevailed throughout the audience as had been manifested on his arrival. Were I to speak from the general appearance and manners of the youth, I should certainly pronounce that he was spirit-broken, and that a rooted sadness weighed at his heart: whether this was the result of a warped education, or a concomitant of the malady that was said to prey upon him, I will not take upon myself to determine."

The only personal anecdote of the youth here given would seem to indicate that, in spite of all the precautions of the cabinet of Vienna, in excluding Frenchmen from his presence, and keeping him, as far as might be, ignorant of his father's history, he was, nevertheless, acutely sensible of his peculiar situation. It is related, too, that while yet a child, when his governess seated herself at table with him *en déshabille*, he exclaimed, "Ah, you would not have treated me this way when I was a king!" In his earlier years he was remarkable for sprightliness; but this soon passed away under the influence of the soul-consuming constraint to which he was subjected as he grew older. At first, too, he is supposed to have given earnest of the stern determination of character which enabled his father to fulfil his destinies for good and evil. A story has been told of the boy which would evince a singleness of purpose and strength of mind rarely to be met with amongst the young:—The Emperor Francis, with whom, as a child, he was a great favorite (though it would appear, at the best, that the despot only fondled the poor boy as a lion's whelp, now playful and harmless, but hereafter to be dreaded and constrained), the emperor told him, on leaving Vienna to join the army, that he would grant the first request he made to him on his return. The child had some pet rabbits to which he was much attached; but upon occasion of their having done some mischief in the gardens, they were taken from him by a servant. The boy was highly indignant, but refrained from all remonstrance at the time; after months had passed away, however, and his grandfather had returned, his first request was, that the servant might be dismissed.

These stories came from one of his physicians, and are probably true; but whatever signs of spirit or intellect or passion he may have exhibited in boyhood, his youth would appear to have been unmarked by any action, or expression of thought or feeling, which could impress itself upon the memory. It can scarcely be doubted that the disease, at length fatal to him, was early induced by the unnatural restraints of which he was the victim. He was denied the enjoyments proper to his youth, and common to the children of the poorest peasants—the free air, light-hearted exercise, and blithe companions. He never felt the rapture of abandoning himself to an unrestrained emotion; he never knew the consciousness of a moment's liberty. He never experienced the inestimable sweets of parental affection. In his childhood, his father, who had so loved him, was pining to death a wretched captive on a barren rock; his mother was wallowing "in the rank sweat" of an adulterous bed. Besides, she never loved him, as most mothers do love their first-born. There seemed, from the first, to be an inherent principle of repulsion lurking in the minds of both. At Paris, Maria Louisa seldom attempted to fondle with, or nurse, her baby; and when she did, the child was always frightened, and generally cried until he was restored to the arms of his governess or nurse. Napoleon, on the contrary, delighted in playing with the child; and he, on his part, was ever eager in responding to the caresses of his father, and invariably shewed that he had his full share in the enjoyment of their play. In Germany, the mother and child were, for the most part, separated. He was left almost exclusively to the care and the controul of strangers, whose position with respect to him

forbade confidence and affection. We sometimes hate books as remembered instruments of annoyance to our joyous youth; we more frequently hate those who taught them. In later life, a man respects and is grateful to his masters; it is very difficult then to love them. It is impossible young Napoleon could have loved his; they were his keepers, and held his spirit in perpetual shadow by their presence. In all his sports and exercises, whether walking, running, dancing, or playing at soldiering as the colonel of a regiment in his later years, he had a dry nurse, a spy, and a gaoler at his elbow. From the moment he began to think, he might have said, as his father did at St. Helena, "I no longer live—I only exist."

It has been stated that he died of pulmonary consumption, at the peculiarly damp and unhealthy palace of Schœnbrunn. It was perceived that he was affected with this disease long before; the physicians recommended his removal to a more genial clime. The Emperor of Austria could not bear to part with his grandson on the persuasion of anybody, except "the fell sergeant death."

The day before he expired, he gave his mother a portrait of Napoleon, in which some of his own hair and of his father's were set; and he confided some manuscript papers to her care: while he was yet breathing, she dispatched them to the Emperor of Austria!!

The body was examined after death: no trace was discovered of the disease (a scirrhus in the pylorus) which proved fatal to his father and grandfather, and was believed to be hereditary in his family. The stomach was smaller than usual, but in a perfectly sound state. The lungs had evidently been the seat of his disorder; one was nearly destroyed.

It is said that he bequeathed "his father's sword" to Louis Bonaparte, son of the ex-king of Holland and the beautiful Hortense. Was this done from a feeling of friendship, or from an idea that a closer relationship existed between them than that of mere cousins? It is stated that a private correspondence had been carried on by the two boys.

Napoleon had desired that several of his swords should be transmitted to his son on his attaining his sixteenth year; amongst the rest, the sword he wore at Austerlitz, and the sabre of Sobieski. It is not stated which of these celebrated weapons was the subject of this bequest.

His remains were interred in the vault of the Imperial family, within the convent of the Capuchins, which forms part of the palace at Vienna.

Thus lived—thus died—the son of the great Napoleon.

The Duc de Bourdeaux is now an exile; the King of Rome is in his grave: so fare the descendants of Henri IV. and Napoleon. An old pawnbroker sits upon the throne of Charlemagne, St. Louis, and the brother in renown of Alexander and Cæsar.

THE SPANISH INQUISITION.

It is the object of the following sketch of the inquisition, to give the readers of the Magazine a clear and distinct idea of the attributes and power of that celebrated tribunal, the whole drawn from authentic sources, together with the conduct of some of its leading members, as it was constituted in the days of its omnipotence, so as to enable the reader to ascertain, whether the idea of horror, which the very name of the inquisition inspires, is or is not borne out by the evidence adduced. The modern inquisition, ever since the sixteenth century, had oppressed Spain, till 1820, when that unhappy country, by the rise of the Cortez, was presented with a chance of getting it erased from its institutions. The manner in which inquisitors discharged their duties, was the best argument for the Spaniards to insist on its abolition, and the promises held out by the various governments which have succeeded each other, since the Spanish revolution, in 1812, to do away

with it as a national stain, and as an instrument of wanton oppression, constituted the best proof of the feelings entertained of it by all ranks of men. The martyrdoms of bloody queen Mary—the atrocities perpetrated by Catherine of Medicis and the dukes of Guise, during the religious wars of France, and those of the notorious Alva in the Netherlands, placed beside the deeds perpetrated by modern inquisitors, fall into comparative insignificance, more particularly when assisted by the sovereign authority, whose aid they often required, and to which in turn they afforded the means of oppressing all the other orders of the community, whom they looked upon as only born to serve and obey them. It was the peculiar misfortune of Spain, that the greatest characters to be found in her history were associated with this infamous tribunal, in the common work of destruction, and these were no less than cardinal Ximenes, Ferdinand and Isabella.

Isabella, so great in other respects, scrupled not at last to avail herself of the grand inquisitor De Torquemada's influence, in expelling the Jews and other heretics, who, until then, had exercised the greatest sway over the peninsula. The disastrous measures to which the members of this iniquitous tribunal resorted, when upheld by the court of Rome, are incredible; it is indeed only of late years that its mysterious attributes, and its unheard of atrocities, can be said to have been established with any degree of certainty. Writers upon this subject, until Llorenti,* had rather transformed the inquisition into a monster of their own creation, than given the world any thing like a clear and correct statement of its proceedings. It was formed about the fifteenth century, at Seville, for the purpose of converting, if not robbing, the Moors and Jews of the immense treasures they had accumulated through their industry and commerce. Flight and recantation were the only remedies against murder and spoliation; the latter, particularly, was too frequently adopted to prove sincere; and, to judge of the orthodoxy of the new converts, this tribunal was established. Doubtless, the fear of torture and confiscation were weightier considerations with the heretics and Jews than the arguments produced by their enemies; but so numerous were the restrictions under which they were placed, so narrowly were they watched, that very few could long remain without betraying their real sentiments, and, consequently, undergoing the penalties incurred through their apostasy.

Thomas De Torquemada, a dominican friar, who owed his elevation to the rank of inquisitor, to Ferdinand the Fifth and pope Alexander the Sixth, was the greatest supporter the inquisition ever had. It is stated, upon the authority of Llorenti, that no less than one hundred and fourteen thousand, four hundred and one victims suffered during the eighteen years of his administration. He it was, who, being Isabella's confessor during her earlier years, enjoined her to a solemn oath that, should she ever ascend the throne, she would, to the utmost of her power, exterminate from her dominions all Jews, Mussulmen, heretics, and the unrighteous of every description. Under the reigns of Ferdinand, Charles, and Philip the Second, which comprehend the last twenty years of the fifteenth, and the whole of the sixteenth century, the modern inquisition attained its zenith. Torquemada, in order to establish it on the surest foundations, created, in different towns, four inferior courts, at Seville, Cordova, Jaen, and Cuidad Real, whose officers were appointed by himself, with an authority to draw up a set of rules for the regulation of the holy office. It was not, however, before the latter end of the year 1484, (or perhaps 1478,) that an assembly was by him convened at Seville, composed of inquisitors and judges, who enacted, under the title of instructions, the first laws which were framed for the modern inquisition. To promote the fiscal views and bigoted principles of the catholic king—to increase the already overgrown authority of the holy office—to secure the patronage of the church of Rome—were its principal objects.

Its course was traced. It was one of unmitigated terror. Murder, rapine, and needless torments, were its inseparable attendants. In return for the

* *Revue Encyclopédique*, tome 18.

support it received from the royal authority, it imposed a fine upon those who voluntarily confessed, and limited, to a very short space, the time during which the suspected could voluntarily accuse himself, or the converted penitent make known his conversion, without incurring the forfeiture of his goods to the crown.* In a similar fiscal spirit, another enactment† prohibited the penitent from the use of fine linen, of any gold, silver, or other sort of ornament, to which the more wealthy classes of society are accustomed, or from entering into any kind of public office, without he first obtained a certificate of his conversion, which could never be procured without supporting such extravagant fees as were tantamount to a prohibition. It would be superfluous to mention, that forfeitures were so easily obtained and their results with so much difficulty avoided, that the most innocent could never for one moment rely on either security for his person, or protection for his property. The sentence which was to decide the fate of both, entirely originated in the capricious, not to say avaricious, spirit of his judge, who, in forming an opinion, was at perfect liberty to deviate from all symptoms, probabilities, and proofs, which constitute the means by which the understanding is alone enabled to form a correct judgment.

The decrees, regulating the jurisdiction of this court, and the duties of its officers, were so extremely undefined that, upon the most specious pretext, it was enabled to extend its authority to various provinces, and to matters of which it originally took no cognizance. After its introduction into Castile and Arragon, it gradually spread its ramifications over Portugal, Italy, and every quarter of the globe, wherein the supremacy of the catholic king was acknowledged. Universally abhorred from the Alps to the Andes, from the Tagus to Goa, wherever it was planted, there were also to be found desolation and tyranny. Its very establishment, so violently imposed upon the people, could never be supported without the aid of the strongest measures of repression; and, even after the most sanguinary struggles, nothing short of arms could enforce obedience to its decrees. Thus upheld by monarchs, it became so powerful, that mandates from Rome, whenever they assumed a character opposed to its desires, were treated less as objects of fear, than of scorn,‡ so that pontiffs found it their interests rather to court its influence, in the hope of reaping abundant fees, than run the risk, through an authoritative air, of losing such a valuable acquisition to their treasury, and more particularly so, after one of the most powerful of them,] Leo the Tenth, had failed in bringing the inquisitors to obedience.

To the heinous practices resorted to previously to the trial of an accused—to the iniquitous measures observed at the trial—to the wanton severity of the punishments inflicted—was owing that dread so universally excited at the thoughts of the inquisition. The principle of its establishment was founded on the idea of repentance, as a religious duty, to arrive at which, self-confession was indispensable; whether forced or voluntary, it was absolutely required of all who were accused of any kind of infringements which came under the jurisdiction of the court.§ To arrive at a confession, torture was almost invariably inflicted; and its severity was applied, less according to the deed of the presumed offender, than according to the perseverance, now termed obstinacy, with which he persisted in the denial of his supposed guilt: the lives of the accused were thus at the mercy of the inquisition, as there were no bounds to its severities, and the more innocent a man was, the greater were his sufferings; as, under such circumstances, his reluctance doubtlessly increased to avow an unfounded and dishonourable charge. No sort of moral criterion was left to discover the guilty from the innocent. The inquisitor's conviction was more or less rapidly formed according to the strength of the victim's nerves, and very few were they who could resist

* Sixth Article. † Sixth Article. Llorenti, sec. 3, ch. 3. Creation of the supreme council.

‡ Rabbe. *Histoire d'Espagne*, p. 244. Llorenti.

] Leo the Tenth, at the instigation of Charles the Fifth, recalled his bull, dated the 12th October, 1519.

§ Fifteenth Article of the instructions before mentioned.

the sight of the horrid dungeons, instruments of torment, and frightful executions, which this tribunal could display. Convicted without evidence, perhaps contrary to impartial evidence, the protest of the victim's innocence as the signal for the renewal of the torture, and if, in the midst of the rack, the wheel, and the gibbet, his excruciating sufferings would draw from his lips the false proclamation of his guilt, he was immediately put to death,* or, if he persisted in his innocence, he was condemned to such torments as ultimately produced the same result by overpowering all his physical faculties.†

The court, even after the death of the individual, would take cognizance of a crime which might be laid to his charge, and, after a post mortem conviction,‡ the children, upon the supposition of their parents' guilt, would be deprived of their inheritance, though no opportunity was ever presented to them to justify his innocence, so that neither the living, nor the dead, the most transcendent virtue or consummate piety, could rescue a victim from its grasp. The inquisitors, in assuming the attributes of Him who is infallible, committed in his name the most foul deeds, expecting, through such hypocrisy, to cover, in the eyes of the credulous, the enormity of their guilt, and the horror justly attached to their transactions. The barbarity of the measures, which preceded conviction, was surpassed by that which followed it. Death in its most hideous forms, ordeal, exile, imprisonments, and confiscations, were ordinary modes of punishments. Previously to recapitulating the number of the victims, of the Spanish monarchs of the sixteenth century, it will not be out of place to examine the sufferings they endured. Exile,§ from the state of incessant war, and the consequent enmity which one people bore another, and imprisonment, from the wretched state of the dungeons,¶ and the callous feeling exhibited towards the inmates, were attended with much more serious results to the sufferers, than would be the case in the present time; they were, in fact, tantamount to a condemnation to death. The victims at *auto-da-fé's*, were generally attached to a post surrounded by stakes, which, being set on fire, they were thus left to be slowly consumed alive. The inquisitors thought it a great favour to strangle the heretics, before they allowed the corpse to be consumed at the stake. The number of the victims, since the year 1481 to 1820, are computed by Llorenti to be no less than three hundred and twenty-two thousand eight hundred and seventy-two, who have been burnt alive, or condemned to the galleys, and to imprisonments; besides eighteen thousand and fifty, who have been burnt in effigy. During the reigns of Ferdinand the Fourth, Charles the Fifth, and Philip the Second, no less than two hundred and eighty-nine thousand eight hundred and sixty-one, were condemned to different punishments, out of whom no less than twenty-six thousand seven hundred and twenty suffered death by being burnt alive; two hundred and forty-eight thousand five hundred and eighteen were condemned to the galleys and imprisonment, and the others burnt in effigy. May not, therefore, Spain, with great reason, attribute the low ebb to which she is at present reduced in the scale of nations, to the demoralizing and arbitrary effects of this institution; to it she is indebted for her poverty, the emigrations of her citizens, and her consequent depopulation, as also for the loss of that ascendancy, which, judging from her present prospects, she is not likely soon, if ever, to recover.

* If a convicted heretic persists in his heresy, he shall be condemned as unrepentant. Fourteenth instruction.

† The individual who, during the torture, avows his guilt, and afterwards confirms this avowal, shall be condemned to death; if he retract, he shall again submit to the torture.

‡ Twentieth regulation of the instructions dated from Seville.

§ They who fled into Africa were treated by the Moors with all the barbarity for which they have ever been so renowned.

¶ They were damp, filthy, underground recesses, which only received the light by means of a small skylight—in which five or six individuals were kept, when, at the same time, there was hardly sufficient room to contain half that number, so that they were confined to almost as narrow a space as the dead in the tomb.—Llorenti, 3, ch. 5. On the pains inflicted by the Inquisition.

The modern inquisition is particularly indebted to Torquemanda, Deza, and Valdes, the first of whom is said to have sacrificed no less than thirteen hundred of his fellow creatures, by different modes of punishment. So great was the terror of his name, and to such a degree did he incur the hatred of the Spaniards, that he was ever surrounded by armed men. No less than three different bulls were issued from the vatican, with a view of dismissing him from office, but their object was always completely defeated through his influence with the court of Spain. Deza was as cruel as his predecessors, and, not satisfied with the results of the inquisition in Spain, he established it amongst the Sicilians, who submitted to it when they could no longer resist the overpowering armies of Charles the Fifth. The number of victims sacrificed by Deza was as great as that of his predecessor, considering the length of their respective administrations. But Valdes surpassed all other inquisitors both in regard to the number of the victims, and to the atrocity of the punishments inflicted upon them. Notwithstanding the advanced age of seventy, at which he assumed the office of inquisitor general, he still held it eighteen years, during which period, men of learning, particularly, appeared to be the favourite objects of his cruelty. The Jesuits, who now began to attract notice, were also doomed to undergo the terrible effects of his resentment, and Ignatius Loyala, their celebrated founder, among others, was cruelly persecuted. The Jesuits, from this period, acquired great power in many courts, and possessed considerable influence in almost every state in Europe. To the extensive learning, undaunted perseverance, and numerous examples of rigid virtue displayed by their first followers, may be attributed their subsequent fame and prosperity; to the arrogance, misconduct, and ambitious pretensions of their successors, may be justly attributed their downfall.

P. J.

OWEN OF WALES,

OR THE INVASION OF GUERNSEY IN THE REIGN OF EDWARD THE THIRD, OF ENGLAND, AND CHARLES THE FIFTH, OF FRANCE, JANUARY 4, 1372.

I.

O LISTEN, listen, gentles all,
My tale's not over long,
And whether ye be great or small,
Attend unto my song.

II.

I sing of Owen, prince of Wales,
A chief of royal blood;
He loves a dance in whistling gales,
Far o'er the briny flood.

III.

His merry men grow old in sin,—
For plunder is their duty,—
Cut, slash and dash, through thick and thin,
Wherever there is booty.

IV.

Norman, French, Arragonian, Turk,
They're of all sorts and sizes;
Black and white villains of all work,
Like rogues at the Amizes.

V.

Charles, whom they style the wise in France,
With very little grace,
Once sent them on a wild goose dance;
I should have said a chase.

VI.

They landed on a Tuesday morn,
On Vazon's happy shore,
Threat'ning to mow us down as corn,
And drench the land with gore.

VII.

Dames, had ye heard each Blackamoor
Your heads to Allah vow!
His first attack is like the roar
Of winds at Bucon-mow.

VIII.

What time the lonely bird of night
Had ceased her plaintive lay
With the cold blush of orient light,
John Letoc rose that day.

IX.

All slept—not even a zephyr broke
The silence of the deep,
And the swain hastened, ere they woke,
To count his silly sheep.

X.

With that intent he wound his way
Where Vazon's waters flow,
And viewed alas! in fierce array,
The power of the foe!

XI.

The Yeoman caught a fiery steed,
And many a weary mile
He rode the stranger-horse full speed,
O'er all the blessed isle.

XII.

He rode like one distracted quite,
And with a dreadful voice,
"Arouse, he cried, for ye must fight!
"To arms, to arms, my boys!

XIII.

" For I have seen at Vazon bay,
" A multitude ! a host ! —
" Stir up, my lads, — arouse, I say,
" Or all the land is lost !

XIV.

" Hazard your lives while they are yours,
" And then ye need not fear ;
" The brave may die — their fall secures
" A blessing and a tear !

XV.

" Alert ! or ye shall die the death
" Of rascals and of knaves !
" Sarnia must curse, with her last breath,
" The fathers of her slaves !

XVI.

" Our wives and small ones claim our aid,
" 'Gainst yon infernal crew !
" Go, try the temper of each blade,
" Cut down and run them through ! "

XVII.

Soon as they heard the sad report,
All from their couches leapt :
The ladies of St. Peter's-Port,
Lamented, prayed, and wept.

XVIII.

Owen of Wales, of royal kin,
The leader of the foe,
Sighed for new laurels in the din
Of carnage and of woe.

XIX.

Dangers the hero loved and dared,
By disappointment vext ;
No peril of this world he feared,
Nor cared he for the next.

XX.

Yet in our isle he found I ween
A garter on his thigh :
'Twas neither silk, nor velvet sheen,
Though scarlet was the dye.

XXI.

For nigh the mill of La Carrière,
As the rash leader came,
Stout Richard gashed him with a spear
That never missed its aim.

XXII.

Then whirled in air a frust'ry brand,
And felt his bosom glow,
Yet only hacked Sir Owen's hand
With a tremendous blow.

XXIII.

And though good Richard, fearless youth,
Carried the palm away,
Toumin Le Lorreur was in sooth
Our captain in the fray.

XXIV.

Ralph Holland in the battle's heat,
Fair signs of valour gave, —
The traitor foe smit off his feet,
And Sarnia decked his grave.

XXV.

The foemen climb sweet Hougnette hill,
And trample on the dead ;
They wade through blood, they die, they kill,
The path is hence called Red.

XXVI.

Hard blows fall to the right and left,
As thick as rattling hail :
Heads fly apace and skulls are cleft,
And dead men strow the vale.

XXVII.

Steel clashing steel as lightning gleams,
And from Guernesian veins
Blood flows, alas ! like mountain streams
Swelled with autumnal rains.

XXVIII.

A deadly weapon strongly bent
And shot against the foe,
Many a renegade sent
To the dark realms of woe.

XXIX.

Eighty good English merchant men
Arrived at close of day,
And old king Charles' merry men
For mercy 'gan to pray.

XXX.

They knew resistance was all vain
'Gainst English hearts of oak,
Bardage is covered with the slain
That fall at every stroke.

XXXI.

To Cornet isle these Gallic slaves
Rushed over the sea's moist beds :
Our jolly men pursued the knaves,
And slew them as they fled.

XXXII.

They storm at once the goodly fort,
Where Owen's banner floats ;
And drive him from his last resort,
With scandal to his boats.

XXXIII.

While the French navy tacked again,
Many an arrow flew
From the stout bows of Guerns'ymen,
And pierced a foeman through.

XXXIV.

At La Corbière they fain would land,
And try their chance once more ;
Our peasants make a noble stand,
And drive them from the shore.

XXXV.

They catch anew, like men perplexed,
The breezes as they rise ;
Gnashing their teeth and sorely vexed,
To forfeit such a prize.

XXXVI.

Nettled with rage at this defeat,
Sir Owen, full of cares,
Now gave the word — the hostile fleet
To Sampson's harbour steers.

XXXVII.

Then to St. Michael's priory,
Ellen, his lady fair,
Hastened in all bravery,
And found sweet welcome there.

XXXVIII.

(Sir Owen woo'd the lovely dame
In Gravelle's wealthy land ;
Proud heiress of a noble name,
She claimed a prince's hand.)

XXXIX.

Now thou shrewd abbot of the Vale
Secure thy little fold,
When tears, and beads, and masses fall,
With omnipotent gold.

XL.

The rascal Gauls in fierce array,
The castle wall surround :
Our Guerns'ymen, as bold as they,
Though few were faithful found.

XLI.

God and St. Michael, cried old Rose,
His arms then proudly hit ;
Head, limbs and chattels, I may lose, —
I never can submit.

MEMOIR OF THE LATE LORD DE SAUMAREZ.

It is the chief duty of a biographer to collect his facts with industry, and state them with fidelity, neither exaggerating the merits nor concealing the defects of those, whose lives and actions he proposes to commemorate. So rarely is virtue untainted with vice; so seldom is elevated rank free from pride; so unfrequently does it occur that the most resplendent abilities are unclouded by some paltry passions or some degrading propensities; that the historian, who is sufficiently honest to speak the truth, scarcely ever enjoys the good fortune of bestowing unmixed praise without sacrificing his sense of veracity. It is the singular felicity of the writer of this article to pourtray the character of a man, great as he believes him to have been, in every public and every private virtue. Brave, skilful, enterprising, as a sailor; patriotic, liberal, and unostentatious, as a citizen; an affectionate husband, a tender parent, a generous master; the patron and promoter of every religious institution; zealous, without bigotry; firm, without intolerance; a friend to popular education; charitable to the poor; accessible to his inferiors; amiable in disposition; unassuming in his manners: this truly good and great man lived without an enemy, and a nation mourned over his grave. One of the most ennobling characteristics of his mind and heart was his devoted affection to the land of his birth, and Guernsey may feel an honest pride in the reflection that the most illustrious of her sons, after having gloriously, and by his own personal merits, received the highest honours which the sovereign could bestow on a subject, preferred the simplicity of his paternal hearth to the fascinating allurements of the most splendid court in Europe. This feeling accompanied him to the grave. Ambition would have looked to Westminster abbey, but the mortal remains of the hero and the patriot sleep within the precincts of the humble village church, situate nearly in the centre of the small island in which he first saw the light of heaven.

Admiral the Right Honourable James Lord De Saumarez was born on the 11th March, 1757, in the large granite fronted house, which stands at the entrance to the Plaiderie, in the parish of St. Peter-Port, Guernsey. The original name of the family was "De Sausmarez," and their genealogy may be easily traced to the Norman conquest. A remote ancestor received from the dukes of Normandy the fief of Jerbourg, comprising the peninsula of that name, situate in the parish of St. Martin. In the twenty-seventh year of the reign of king Edward the First, at a court of chief pleas held at Guernsey, in the presence of judges of assize, Matthew de Sausmarez made homage for this fief; and in the fourth year of the reign of king Edward the Third, an application was made to him by a Matthew de Sausmarez, for the confirmation of his rights and prerogatives as they were anciently enjoyed by his predecessors. On receipt of this petition, the king sent as order to John des Roches, guardian of the Channel Islands, to make a perquisition thereon, authorizing him to give his royal assent to it, if not found prejudicial to the rights of the crown or the privileges of the inhabitants, who, his Majesty was informed, had, by the consent of his royal father, fortified the castle of Jerbourg as a place of retreat and protection to them, as well as for the security of their effects, in case of any invasion by the enemy.

This guardian, or governor, in pursuance to that order, appointed twelve of the most respectable persons of the island to be examined before the bailiff, and they declared upon oath, that the predecessors of Matthew de Sausmarez held that place from the crown with sundry appurtenances and privileges, which, in consideration of their services as keepers of that castle, had always been and ought to be, inseparable from the fief of Jerbourg; and they further deposed that these were not in any respect detrimental to the prerogative of the crown, nor injurious to the rights of the inhabitants, who still retained the privilege of retreating into the castle with their effects on every emergency.

Among many other incidents attached to this ancient fief, there is one sufficiently curious to be here recorded. Whenever the lord had occasion to go to Jersey, his tenants were obliged to convey him thither, for which they received a gratuity of three sous, or a dinner: but they were not obliged to bring him back, and this exemption may be thus explained. The lord of Jerbourg, in those days, held also a fief in Jersey, called by the same name, but it no longer belongs to the Saumarez family; but formerly it was possessed by the same individual, and the same rights and privileges were attached to both; so that when the affairs of the lord called him to Jersey, he was conducted to that island by his Guernsey tenants, and brought back again by those of Jersey. It is indeed certain, that during many years after the conquest, several gentlemen possessed estates on both islands, more or less considerable in one than in the other. The fief of Jerbourg remained in the family of Saumarez till about the year 555, when it became the property of Mr. John Andros, in right of Judith de Saumarez, his mother, and daughter to Mr. Thomas de Saumarez; but it has since reverted back to the descendants of the old family, and now belongs to John de Saumarez, his Majesty's late attorney-general in the island of Guernsey.

The subject of this memoir felt an early predilection for the naval service, and perhaps his youthful ideas might have received this bias from hearing his family mention the names of his two uncles, the captains Philip and Thomas de Saumarez, who sailed under the orders of Commodore Anson, in the memorable expedition to the South Sea. The former was slain in the engagement between Lord Hawke and M. de Letendour, off Cape Finisterre, October 14th, 1747. The latter, when commander of the *Antelope*, a fifty-gun ship, captured the *Belliqueux*, a French sixty-four. In 1770, being then thirteen years of age, our hero commenced his glorious career, by entering as a midshipman on board the *Montreal*, commanded by Commodore Alms. He next served in the *Winchelsea* and *Levant* frigates, under the respective commands of Admirals Goodall and Thompson, and after having remained five years on the Mediterranean station, he returned home in 1775.

Shortly after his arrival in England, Mr. Saumarez joined the *Bristol*, of fifty guns, bearing the broad pendant of Sir Peter Parker. On the 26th of December, 1777, the admiral sailed from Portsmouth, with a squadron of ships of war, and a fleet of transports, having on board a large body of troops under the command of the Earl of Cornwallis, destined for an attack on Charlestown, in America. Early in May, this fleet arrived off Cape Fear, where Sir Peter Parker was joined by General Clinton, and a reinforcement of militia. The first object of the combined forces was to obtain possession of Sullivan's island, situate about six miles below the town, and strongly fortified. The Americans had raised a formidable line of defence, and the attack of the British fleet was repulsed with severe loss. The *Bristol* acted a conspicuous share in this engagement. The springs of her cables being cut by the shot, she lay for some time exposed to a dreadful raking fire. Captain Morris, her commander, was severely wounded in several places, notwithstanding which, he refused to quit the deck until a shot took off his arm, when he was obliged to be carried below and soon afterwards expired. The *Bristol's* quarter-deck was once entirely cleared, with the exception of the commodore, who displayed the most intrepid courage and the most unflinching resolution. Besides her captain, the *Bristol* had one hundred and eleven men killed and wounded, and Mr. Saumarez had a very narrow escape, as a large shot from the fort, entering the port-hole when he was pointing a lower decker, struck the gun and killed or wounded seven men who were stationed near it. The commodore was so well pleased with the coolness, judgment, and bravery of Mr. Saumarez, that he appointed him to act as lieutenant on board the *Bristol*, and this promotion was afterwards confirmed by Lord Howe.

During that part of the American war, when the French fleet, under Count

D'Estaing, quitting Sandy-Hook, arrived before Rhode island, our young hero commanded the Spitfire galley. Major-general Sir Robert Pigot, who commanded the British forces, took every measure in the power of a brave and experienced officer, that could promote a most vigorous and obstinate defence. The French fleet either blocked up or entered the several inlets, between which Rhode island and its adjoining smaller islands are enclosed, and which form a communication more or less navigable in the different branches between the open sea and the back continent, on the 29th July, 1788. The main body cast anchor without Brenton's Ledge, about five miles from Newport; two of their line of battle ships ran up the Narraganset passage and anchored off the north end of the island of Conanicut, where they were shut up during several days from rejoining the fleet, by contrary winds; while some of their frigates, entering the Seconnet passage, occasioned the blowing up of the Kingfisher sloop and two armed galleys, one of which was the Spitfire, which could not otherwise have escaped falling into the hands of the enemy. Lieutenant Saumarez afterwards acted as aide-de-camp on shore to Commodore Brisbane, and commanded a party of seamen and marines at one of the advanced posts. He then returned to England in the *Leviathan*, in which vessel he narrowly escaped shipwreck on the Scilly islands.

Soon after his arrival, Mr. Saumarez was appointed one of the lieutenants of the *Victory*, of one hundred guns, carrying the flag of Sir Charles Hardy. He continued in that ship under different flag officers, until his removal as second lieutenant in the *Fortitude*, seventy-four, with Vice-Admiral Sir Hyde Parker, who was at that time appointed to the command of a squadron fitting out in consequence of the rupture with Holland, against which country a manifesto and declaration of war had been issued by the court of St. James's, dated 20th December, 1780. Sir Hyde sailed from Portsmouth in the beginning of June, 1781, with four ships of the line, and one of fifty guns, for the North Seas. In the mean time, Holland strained every nerve for the equipment of such a force as might, at least, be able to convoy their outward bound trade to the Baltic, and protect it on its return, if not to intercept ours, and become entirely masters of the North Seas. It was not, however, until some days after the middle of July, that Admiral Zoutman and Commodore Kindsbergen, sailed from the Texel, with a great convoy under their protection. Their force consisted of eight ships of the line, averaging from fifty-four to seventy-four guns, of ten frigates and five sloops. Several of the frigates were very large and carried an unusual weight of metal. The *Argo* carried forty-four guns, and five others carried thirty-six guns each. They were joined by the *Charlestown*, an American frigate of an extraordinary construction, she being as long and as large as a ship of the line, with several hundred men on board, and thirty-six forty-two pounders upon one deck; a weight of metal in such a compass and situation, which, it was thought few single ships could long withstand. She took this opportunity of sailing with the Dutch fleet, in order to go north about on her way home.

Admiral Parker was on his return with a great convoy from Elsinore. He had been joined by several frigates since he left Portsmouth, and by the *Dolphin* of forty-four guns; and, in this most critical and dangerous conjuncture, was very timely and fortunately reinforced by the junction of commodore Keith Stuart, in the *Berwick* of seventy-four guns, who had been for some time cruising on the coast of Scotland. The squadron now consisted of six ships of the line, of which the *Princess Amelia* carried eighty guns, the *Fortitude* (which was the admiral's own ship, on board of which was Lieutenant Saumarez) and *Berwick*, seventy-four each, the *Bienfaisant*, sixty-four, the old *Buffalo*, sixty, and the *Preston*, fifty guns: but the superiority of the enemy obliged the admiral to take the *Dolphin* of forty-four guns into his line. Of this force the two seventy-fours were by much the best ships. The *Princess Amelia*, though a three-decker, was so very old and weak that her metal had been reduced to the rate of a fifty

gun ship, her lower deck guns being only twenty-four pounders; and the *Buffalo*, besides being old, was of so bad a construction, that she had been some years before discharged from the service and employed as a storeship in America.

The hostile fleets came in sight of each other on the Dogger bank, very early on the morning of the 5th August, 1781. Though one of the Dutch line of battle ships had, through some accident, returned to port, yet, as the *Argo* of forty-four guns was substituted in her place, their line still consisted of eight two-decked ships. Admiral Parker, perceiving the number and strength of the enemy's frigates, detached the convoy, with orders to keep their wind, sending his own frigates along with them for their protection; and as soon as this disposition was made, he threw out the general signal for the squadron to chase the enemy. The Dutch were by no means disposed to shun the conflict; they likewise detached their convoy to some distance, when they drew up with great coolness in order of battle, and waited the shock with the utmost composure. This action, though upon a small scale, was conducted and fought in such a manner that it recalled fresh to the mind those dreadful sea-fights between England and Holland, which the preceding century had witnessed. None of that manœuvring was now practised on either side, through which the French had so frequently eluded the complete decision of many naval actions. The parties were equally determined to fight it out to the last; a gloomy silence, expressive of the most fixed determination, prevailed; and not a single gun was fired until the hostile fleets were within a little more than pistol shot distance. Admiral Parker in the *Fortitude*, then ranging a-breast of Admiral Zoutman's ship, the *De Ruyter*, the action was commenced with the utmost fury and violence on both sides. The cannonade continued without intermission for three hours and forty minutes. Some of the English ships fired two thousand five hundred shots each. The effect of the ancient naval emulation was eminently displayed in the obstinacy of this battle.

The Dutch ships were much superior in weight of metal to the English of the same rates. This difference, however, was but little considered; but their heavy frigates, as well as the *Charlestown*, having intermixed with their line, took a very effective part in the action, and did much mischief by raking our ships and firing at their rigging while closely and desperately engaged with a superior enemy. Such returns were, however, at length made, that they paid dearly for their temerity; and the *Charlestown*, among others, suffered so severely, that it was long supposed that she had gone down, either during or soon after the action.

At the expiration of the term we have stated, the ships were so ruined on both sides that they lay like logs upon the water, and were incapable of answering to so much command as would keep them within the distance necessary for mutual annoyance; while the combatants were unwillingly separated by the mere action of the water. The English ships were chiefly wounded in their masts and rigging, which rendered them incapable of pursuing their opponents and profiting by their victory; but as they fired entirely at the hulls of their adversaries, and by their superior alertness and expedition discharged a much greater quantity of shot, the greater part of the Dutch ships were so woefully torn, that it was with the utmost difficulty they were kept above water until they reached, separately, and in the utmost distress, (notwithstanding the aid of their numerous frigates,) such of their own nearest ports as they could fetch. But the *Hollandia* of sixty-eight guns, one of their best ships, went down in the night of the engagement, and two others of their capital ships were so shattered as to be afterwards declared incapable of further service. The Dutch lost one thousand one hundred men, in killed, wounded and drowned. The English had one hundred and four men killed, and three hundred and thirty-nine wounded, the loss of the *Fortitude* being twenty killed and sixty-seven wounded.

When Admiral Parker arrived at the Nore, his Majesty paid the squadron

a royal visit; but the rough and veteran commander, indignant at the conduct of the ministers, who, instead of reinforcing him, allowed several fine vessels to lie idle in port, treated the king with considerable *hauteur*, observing, "That he wished him younger officers and better ships, and that, as for himself, he was grown too old for the service." When young McCartney, whose father was killed in the action, was presented to his Majesty on board the Fortitude, the royal intention of providing for him for the sake of his brave father, being intimated, old Parker bitterly replied "that he had already adopted him as his own son." On this occasion, Mr. Saumarez was introduced to George the Third, who enquired if he was related to the captains of the same name, who had circumnavigated the globe with Anson. The admiral answered in the affirmative, saying that "he was their nephew, and as good an officer as either of them." This approbation will be the more appreciated when we consider by whom it was bestowed, for we have seen that old Parker was not a sneaking courtier, but dared vent his resentment to the king's beard; indeed, the admiral immediately afterwards resigned his commission.

In consequence of the bravery displayed by Lieutenant Saumarez in the action off the Dogger bank, he was promoted to the rank of commander, and appointed to the *Tisiphone*, a new fire-vessel then fitting at Sheerness.

About this period the utmost expedition had been used at Brest, after the return of M. De Guichen from his cruise, in refitting and preparing the French fleet for sea, notwithstanding the lateness of the season. The objects in view were of sufficient consequence to excite this diligence. It was necessary to reinforce the Count de Grasse with both troops and ships of war in the West Indies, and it was determined to send a considerable reinforcement of both to support M. des Orves and de Suffrein in the East. But ships and troops were not sufficient for either service. It was well foreseen that M. de Grasse, after the hard service on the coasts of North America in the preceding campaign, must stand in need of an immense supply of naval and military stores of every sort, and that his station in the West India Islands would extend the want to almost every article of provision and necessary of life. The demand for naval and military stores in the East Indies was no less urgent. A numerous convoy of transports, store-ships, and provision vessels, were accordingly prepared and provided with the same diligence as the fleet; and as it was likewise necessary to guard against the designs of the English, the preparation was extended to such a number of men of war as was thought equal to the protection of the whole, until they had got out of reach. This part of the service, as well as the conduct of the whole while he continued in company, was committed to the Count de Guichen; and the command of the squadron and fleet destined for the West Indies, to M. de Vaudrevil. The former was accompanied by M. de la Motte Piquet, and M. de Beausset; and when he separated from the convoy, was to join the Spanish fleet at Cadiz, in order to defeat any attempt that might be made from England for the relief of the island of Minorca. M. de Vaudrevil carried out a considerable body of land forces, with a full confidence on the side both of France and Spain of now carrying into complete execution the so often laid project of capturing the island of Jamaica.

Intelligence of this armament, and, in a great measure, of its object, being received in England, Admiral Kempenfeldt was dispatched in the beginning of November with twelve sail of the line, one fifty-gun ship, four frigates, and some smaller vessels, in order to intercept the French squadron and convoy. Commander Saumarez, in the *Tisiphone*, was attached to this fleet. The event of the war, at least in the West Indies, and scarcely less so in the East, seemed to hinge in a great measure upon the complete execution of this design. The blow, in its full weight, must have produced very considerable and unexpected results; but, through bad intelligence, or, as some may rather think, through a certain marked fatality, which seems to have generally attended our operations through the course of that war, the French

set was so much superior in number to what had been conceived, as well to the force under Admiral Kempenfeldt, that the danger of being interrupted (if such had been the object of the enemy) lay entirely on his side. The Count de Guichen had no less than nineteen sail of heavy line of battle ships under his command, besides two more armed *en flute*, as the French call it, that is, their lower deck guns were placed in the hold, in order to make room for the conveyance of a moderate cargo; and of the former, five were of a vast size, four carrying 110 guns each, and the fifth 112 guns.

The English Admiral, totally ignorant of the superiority of the enemy, and expecting that he had only an equal force to encounter, had the fortune to fall in with them in a hard gale of wind, when both the fleet and convoy were a good deal dispersed, and the latter had fallen considerably a-stern. Admiral Kempenfeldt, with that professional judgment and dexterity by which he was eminently distinguished, determined to profit of the present situation, by endeavouring to cut off the convoy, in the first instance, and to fight the enemy afterwards. In the movement, for this purpose, the Triumphant of eighty-four guns, which had stayed back to collect the convoy, in her way now to rejoin the fleet, came across the Edgar of seventy-four guns, which led the English van: a sharp though short fire ensued, in which the former sustained some apparent considerable loss. The design in part succeeded; and, if there had been a sufficient number of frigates (which are particularly necessary in all attacks upon convoys) the effect would have been much more considerable. About twenty of the prizes arrived safe in England, two or three were said to be sunk, and several that struck escaped in the night. Commander Saumarez mainly contributed to this success, he having first discovered the enemy, and a ship of thirty guns, having on board four hundred troops, struck to the Tisiphone.

The French commanders were in the mean time collecting their fleet, and forming the line of battle. Admiral Kempenfeldt likewise, having collected his ships in the evening, and being still ignorant of their force, got upon the same tack as the enemy, under a full determination of engaging them in the morning. At day-light, perceiving them to be to leeward, he immediately formed the line; but, discovering their force upon a nearer approach, he saw the necessity of changing his resolution; and the adverse fleets, after a full view of each other, seemed to part with equal consent on both sides.

Commander Saumarez was now dispatched to Barbadoes to report this intelligence to Rear Admiral Sir Samuel Hood, then commander-in-chief on the West India station. On delivering his dispatches, he received a commission, appointing him, though under twenty-five years of age, to the command of the Russell of seventy-four guns, in which ship he was soon destined to take a share in one of the most memorable engagements of that war.

We have already stated that the object of the French government was to capture Jamaica, and that for this purpose the Count de Guichen was to unite his squadron with that of the Count de Grasse: but Kempenfeldt had so crippled the enemy, that almost the whole convoy returned disabled to France. The squadron of Sir George Rodney effected a junction with that of Admiral Hood, and this united fleet was further reinforced by the arrival of three ships of the line. The first object of the English admiral was to intercept a second convoy from Brest, which had sailed with supplies for Count de Grasse, to supply the failure of the former. But they escaped, and the British returned to St. Lucia, their force consisting of thirty-six ships of the line. The force of Count de Grasse at Martinique was only thirty four. We except, from the latter account, two ships of the line armed *en flute*, and two fifty-fours; the former not being engaged, and the latter, if present, acting only as frigates. But, from the written order of the line of battle, signed by Count de Grasse himself, the two armaments were fairly matched: for, though the English had two ships more, yet the French vessels carried heavier metal,

and their seventy-fours had nine hundred men each, while each of the English had only six hundred.

The van of the English was commanded by Sir Samuel Hood, the centre by Sir George Rodney, and the rear by Admiral Francis Drake, to which last division, the Russell, Captain Saumarez, was attached. The ships were in good condition; and perhaps a set of braver and abler officers were never joined in the command of an equal number in any conflict. The three corresponding divisions of the French fleet were commanded by the Count de Grasse, M. de Vaudrevil, and M. de Bougainville, who were all distinguished officers.

The scene of action may be considered as a moderately large basin of water lying between the islands of Guadaloupe, Dominica, the Saints, and Marigalante; and bounded both to windward and leeward by very dangerous shores. The hostile fleets met upon opposite tacks. The battle commenced about seven o'clock in the morning, and was continued with unremitting fury until near the same hour in the evening. Admiral Drake, whose division led to action, gained the greatest applause and the highest honour, by the gallantry with which he received, and the effect with which he returned, the fire of the whole French line. His leading ship, the Marlborough, Captain Penny, received and returned, at the nearest distances, the first fire of twenty-three ships of war; and had the singular fortune to have only three men killed and sixteen wounded. In this glorious action, the Russell sustained a loss of ten men killed and twenty-nine wounded. The Ville de Paris of one hundred and ten guns, and having on board the Count de Grasse and one thousand three hundred men, was captured, as well as the Glorieux, Le César, and L'Hector, seventy-fours, and the Ardent of sixty-four guns, besides another large ship that was sunk. Sir George Rodney, in his dispatch to the admiralty, dated April 14, 1782, says, "I want words to express how sensible I am of the meritorious conduct of all the captains, officers, and men, who had a share in this glorious victory, obtained by their gallant exertions."*

After this action, the Russell, being greatly disabled, was ordered to escort the homeward bound trade to England; and as the war soon afterwards terminated, Captain Saumarez was enabled to enjoy an interval of repose in his native land. But as soon as the war broke out again, in 1787, his sword was at the disposal of his country, and the subsequent part of his honourable career has gained him an immortal name among the naval heroes of the mistress of the sea. He had already learned to obey, under Parker, Kempenfeldt, and Rodney, and he soon gave proofs that he was equally fitted to command.

When Captain Saumarez again entered into active service, he was appointed to the command of the Ambuscade frigate. In 1790, he was ordered to commission the *Raisonné*, of sixty-four guns. At the commencement of the revolutionary war with France, he obtained the command of the *Crescent*, of forty-two guns, the crew of which, consisting of two hundred and fifty-seven men, were principally volunteers among his own countrymen. In this ship, after a close action of two hours and twenty minutes, he captured *La Réunion*, of thirty six guns, and three hundred and twenty men, one hundred and twenty of whom were either killed or wounded. The *Crescent* had not a single man hurt. This gallant action was rewarded by his Majesty conferring on Captain Saumarez the order of knighthood; and, as a mark of respect, the merchants of London presented him with an elegant piece of plate. It may here be remarked, in reference to this action, that the *Réunion* was one out of the first eight vessels captured from the French since the commencement of this fresh war up to the 1st December, 1793, so that Captain Saumarez was among the first of the British naval officers to vindicate the superiority of the national flag. To put

* In this action there was another Captain, who bears a Guernsey name, which we notice, in case some of his descendants may be yet in this island. It was Thomas Dumaresq, who commanded the *Repulse*, of sixty-four guns, which was one of the ships in Sir George Rodney's division, as appears from the official list printed of his "order and line of battle."

this fact beyond doubt, we annex the list and names of the ships taken from the French during this period. *Le Gestan*, of fourteen guns, by the *Penelope*. *Le Curieux*, of fourteen, by the *Inconstant*. *La Cleopatre*, of thirty-six, by *La Nymphé*. *Le Pompée*, of twenty-eight, by the *Phaëton*. *L'Eclair*, of twenty, by the *Leda*. The *Lutin* (sloop), of sixteen, by the *Pluto*. The *Blonde*, of twenty-eight, by the *Phaëton*; and the *Réunion*, thirty-six, by the *Crescent*.

When the *Crescent* was refitted, she sailed on a cruise in the Bay of Biscay, in company with the *Hind*, a smaller frigate, when Captain Saumarez captured two French privateers, called the *Club de Cherbourg*, and *L'Espoir*. Sir James Saumarez was afterwards attached to the squadron under Admiral Macbride, which formed a part of Lord Moira's expedition in favour of the French royalists.

The next exploit performed by this distinguished seaman displayed in a striking light both his nautical skill and his cool intrepidity. On the 8th June, 1794, the *Crescent*, accompanied by the *Druid* frigate, and *Eurydice*, a twenty-four gun ship, fell in with off the island of Jersey, and was chased by a French squadron, consisting of two cut down seventy-fours, each mounting fifty-four guns, two frigates and a brig. Sir James, perceiving the vast superiority of the enemy, ordered the *Eurydice*, which was the worst sailer, to make the best of her way to Guernsey, whilst the *Crescent* and *Druid* followed under easy sail, occasionally engaging the French ships and keeping them at bay, until the *Eurydice* had got to some distance ahead; when they made all possible sail to get off. The enemy's squadron, however, gained upon them so rapidly, that they must have been taken but for a bold and masterly manœuvre. Sir James, seeing the perilous situation of his consorts, hauled his wind and stood along the French line,—an evolution which immediately attracted the enemy's attention, and the capture of the *Crescent* appeared to be for some time inevitable. But, among the Guernsey-men who had volunteered on board the *Crescent*, was an experienced king's pilot, well acquainted with all the rocks and currents round the island, named Jean Breton,* from St. Saviour's parish: he pushed the frigate through numerous intricate passages where a king's ship had never before swum, and, singularly enough, sailed so near to the shore of the Côté parish that Sir James could distinctly see his own house; a position truly remarkable from the contrast,—for, behind him he beheld a French prison,—before him, his own fireside. Success attended this bold experiment, and they effected their escape into Guernsey roads, greatly to the disappointment of their pursuers.†

However gratified Sir James might have been from the consciousness of having saved his ships by this masterly retreat, that pleasure must have been greatly heightened from the circumstance of having his countrymen as eye

* The governor of Guernsey presented John Breton with a silver gilt medal, on which is the following inscription:—"Gift of Major General Small, to Mr. John Breton, pilot to H. M. ship *Crescent*, as a reward of his merit on the 8th of June, 1794, off Guernsey.—H. M. ship *Crescent*, Sir James Saumarez, and *Druid*, Captain Ellison, engaging the enemy, to prevent H. M. ship *Eurydice* from falling into their hands."

† The following particulars of the capture of the *Réunion* will prove interesting to the reader. On the 20th October, 1793, Captain Saumarez, sailed from Spithead on a cruise, and having previously received information that there were two frigates stationed at Cherbourg, which had made several valuable captures, one of which used to sail in the evening across the Channel, and return into port in the morning, he determined to run close in with the land before daylight, with a view of cutting her off. The plan succeeded. At dawn of the ensuing morning, being close to Cape Bardeur light-house, he descried the *Réunion*, French frigate, of 36 guns and 320 men, accompanied by a cutter, of 16 guns: the *Crescent* was on the larboard tack with the wind off shore, and immediately edged down on the enemy, and in a short time brought her to a close action; both ships were soon much cut up in their sails and rigging. The *Crescent* had her fore top-sail yard and afterwards her fore top-mast shot away, but coming suddenly round on the opposite tack, with the helm hard a-starboard, she was enabled to bring her larboard guns to bear. Captain Saumarez, with his usual promptitude on trying occasions, seized the opportunity that afforded of raking the enemy, who soon became totally unmanageable, and was forced to strike his colours, in sight of multitudes of his countrymen, by whom the adjacent coast was covered. The other of the enemy's frigates in Cherbourg attempted to come out for the purpose of rescuing her consort, but a failure of wind, and the contrary tide, caused such delay that the *Réunion* was captured before she could receive any succour; the other ship then returned into port, not daring to risk an engagement with her victorious though crippled foe.

witnesses of his admirable tact and spirited daring. Lieutenant-governor Small, who, with a multitude of the inhabitants, beheld the whole of these naval evolutions, immediately published the following flattering testimonial in public orders, which was afterwards transmitted to Sir James by the brigade major :

"Parole, SAUMAREZ.—Countersign, CRESCENT.

"The Lieutenant Governor of Guernsey cannot, without doing injustice to his own feelings, help taking notice thus publicly of the gallant and distinguished conduct of Sir James Saumarez, with the officers and men of his Majesty's ships *Crescent*, *Druid*, and *Eurydice*, under his command, in the very unequal conflict of yesterday, where their consummate professional skill and masterly manœuvres demonstrated with brilliant effect the superiority of British seamanship and bravery, by repelling, and frustrating the views of, an enemy at least treble their force and weight of metal. This cheering instance of spirit and perseverance in a most respectable detachment of our royal navy, could not fail of presenting an animating and pleasing example to his Majesty's land forces, both of the line and island troops, who were anxious spectators, and beheld with admiration the active conduct of their brave countrymen. To the loyal inhabitants of Guernsey it afforded cause of real exultation, to witness the manly and excellent conduct of an officer whom this island has to boast he is a native of."

In the month of February following, Sir James was appointed to the *Marlborough*, of seventy-four guns ; and, after a long cruise in that ship, removed into the *Orion*, of the same force, in which he had the honour of bearing a distinguished station in Lord Bridport's action off *L'Orient* on the 23d June, 1795. On this occasion, the British squadron consisted of fourteen ships of the line and eight frigates. The French had twelve ships of the line and nine frigates, and were the same that had attacked Lord Cornwallis on the 17th of June, who, having only five ships of the line and two frigates under his command, was obliged to make his escape after a running fight, which lasted a whole day. When encountered by Lord Bridport, the French endeavoured to avoid an engagement, and stood close in with the shore, in order to receive the assistance of some batteries that greatly annoyed the British ships ; but this did not prevent them from taking three French ships of the line, and severely damaging the others, which escaped, with difficulty, into the harbour of *L'Orient*. Lord Bridport gives the following account, which we find in the *London Gazette* of the 27th June, 1795 :

"The ships which struck are the *Alexander*, the *Formidable*, and the *Timoleon*, which were with difficulty retained. If the enemy had not been protected and sheltered by the land, I have every reason to believe that a much greater number, if not all the line of battle ships, would have been taken or destroyed. In detailing the particulars of the service, I am to state that, on the dawn of day, of the 22d inst., the *Nymph* and *Astræa*, being the look-out frigates a-head, made the signal for the enemy's fleet. I soon perceived that there was no intention to meet me in battle ; consequently I made the signal for four of the best sailing ships, the *Sans Pareil*, *Orion*, *Russel*, and *Colossus*, and soon afterwards for the whole fleet, to chase, which continued all that day, and during the night with very little wind. Early in the morning of the 23d inst., the headmost ships, the *Irresistible*, *Orion*, *Queen Charlotte*, *Russell*, *Colossus*, and *Sans Pareil*, were pretty well up with the enemy, and a little before six o'clock the action began, and continued till near nine. When the ships struck, the British squadron was near to some batteries, and in the face of a strong naval port, which will manifest to the public the zeal, intrepidity, and skill of the admirals, captains, and all other officers, seamen, and soldiers, employed upon this service ; and they are fully entitled to my warmest acknowledgments."

The official return of killed and wounded, signed by Lord Bridport, makes the loss on board of the *Orion*, five seamen killed, and one soldier ; and seventeen seamen and one soldier wounded.*

Sir James Saumarez was afterwards detached with two frigates to cruise off Rochfort, where he remained for six months, during the most tempestu-

* In the action under Lord Bridport, Captain Saumarez gave proof of his usual intrepidity and abilities on this occasion, for his ship, the *Orion*, from being one of the sternmost when the chase began, was one of the first in action.

is weather. He then resumed his station in the fleet off Brest, from whence he was sent to reinforce Sir John Jervis, whom he joined five days before the memorable battle off Cape St. Vincent. The squadron, under the command of Admiral Jervis, amounted to no more than fifteen ships of the line, and some frigates. He was cruising off Cape St. Vincent on the coast of Portugal, when he received intelligence of the Spanish fleet's approach, and he prepared immediately for battle. On the 14th of February, at the dawn of day, it was discovered, amounting to twenty-seven sail of the line. By hurrying a press of sail, he closed in with the enemy's fleet before it had time to connect, and form into a regular order of battle. Such a moment, to use the words of his own dispatch, was not to be lost; confiding in the skill, valour, and discipline of his officers and men, and conscious of the necessity of acting with uncommon resolution on this critical occasion, he formed a line, with the utmost celerity, in order to pass through the enemy's fleet; and, having completely effected his design, he thereby separated one-third of it from the main body, and by a vigorous cannonade compelled it to remain to leeward, and prevented its rejunction with the centre till the evening. After having thus broken through the enemy's line, and by this daring and fortunate measure, diminished their force from twenty-seven ships to eighteen, it was perceived that the Spanish admiral, in order to recover his superiority, was endeavouring to rejoin the ships separated from him, by wearing round the rear of the British lines; but Commodore Nelson, who was in the rearmost ship, directly wore and prevented his intention, by standing towards him. He had now to encounter the Spanish admiral of one hundred and thirty-six guns, aided by two others, each of them three deckers; he was happily relieved from this dangerous position by the coming up of the Bleinheim and Culloden to his assistance, which detained the Spanish Admiral and his seconds, till he was attacked by four other British ships; when, finding that he could not execute his design, he made the signal for the remainder of his fleet to form together for their defence. The British Admiral, before they could get into their stations, directed the rearmost of them, some of which were entangled with each other, to be attacked. This was done with so much judgment and spirit that four of them were captured, one of which struck to his own ship. In the mean time, that part of the Spanish fleet which had been separated from its main body, had nearly rejoined it with four other ships, two of which had not yet been in the engagement. This was a strength more than equal to that which remained of the British squadron, fit, after so severe a contest, for a fresh conflict. Had it been renewed, the Spaniards had still thirteen ships unhurt, while of the fifteen, of which the British squadron consisted, every one had suffered in so unequal an action. It drew up in compact order, not doubting of vigorous efforts on the part of the enemy, to retake his lost vessels; but the countenance and position of the British was such, that the Spaniards, though so powerfully reinforced, did not dare to venture on a close encounter. Its fire was distant and ineffectual, and it left the British squadron to move leisurely off with the four captured vessels, two of them carrying one hundred and twelve guns each, one, eighty-four, and the other, seventy-four. The slain and wounded on board of these, before they struck, amounted to six hundred, and on board of the British squadron to about half that number. The amount of killed and wounded in the other Spanish ships, was computed equal to that in those that were taken.

In this memorable battle, the *Orion* was one of the six ships that attacked the body of the enemy's fleet, and afterwards joined in the assault on the huge *Santissima Trinidad*, which, according to an entry in the *Orion's* log book, at length hauled down her colours and hoisted English ones, but was rescued by several of the enemy's fresh ships.* In this engagement the *Orion* had only nine men wounded.

* The surrender of the *Santissima Trinidad*, at the battle of Cape St. Vincent, has been questioned even by some officers serving in the English fleet, although she not only had struck her flag, but afterwards hoisted an English jack over the Spanish colours. A Spanish officer who was on board during the action, and who fell into Sir James's hands soon afterwards, acknowledged the fact, not however before all further defence was fruitless;—the ship being a perfect wreck, and having sustained an immense loss of men.

On the 30th of April, 1798, Sir James Saumarez, who, subsequently to the above battle, had been employed in the blockade of Cadiz, accompanied Sir Horatio Nelson to the Mediterranean, and shared in the honours acquired off the mouth of the Nile. We shall pursue the same plan that we have adopted throughout this Memoir of giving condensed summaries of all the great battles in which Lord Saumarez was engaged, and sketch rapidly a detail of the glorious action in Aboukir Bay.

The wind which was between N.W. and N.N.W. had been a fresh top gallant sail breeze, and, though moderated as the day came to a close, it still swelled out the lighter sails. Before the *Goliah*, (the leading ship,) had approached within a mile of the enemy's van ships, they commenced a brisk cannonade with their starboard guns, as did the batteries at the castle of Becquires and the gun-vessels, which galled the British squadron greatly as they closed. But the situation of the enemy's anchorage, and the shallowness of the water around, rendered it impossible to evade that annoyance. It was, therefore, borne with a firmness worthy of their character. The period was but short when it became their turn to retaliate the annoyance. The gallant leader, Captain Foley, of the *Goliah*, on that occasion displayed a conduct which showed him worthy of the post he had taken. Keeping his ship under all convenient working sail, he kept as near to the edge of the bank as the depth of water would permit, and passing ahead of the enemy's van ship, *Le Guerrier*, poured into her a most destructive fire; and, bearing round up, shortened sail, and anchored by the stern, inside of the second of the enemy's line, *Le Conquérant*.

The *Zealous* followed in the track of the *Goliah*, but not so far, having dropped her stern anchor so as to preserve a situation on the inside bow of *Le Guerrier*, whom she handled in the severest manner, without being exposed to annoyance in return. The *Orion*, Sir James Saumarez, next followed, and passing to windward of the *Zealous*, and round her, plying her larboard guns on *Le Guerrier*, while they bore, continued on a S.E. course, and passed the inside of the *Goliah*; when, being annoyed by a frigate's fire, she yawed as much as was necessary to bring her starboard guns to bear, and gave her so complete a dose as to silence her for ever. Then hawling round towards the enemy's line, she dropped the starboard bower anchor inside between the third and fourth ships from their van, and with some exertions, by spreading all her aftersail, (probably to force her keel over the ground which it is most likely she touched,) got her swung round *L'Aquilon*, who had, without annoyance, suffered the *Orion* to place herself in this situation. The *Theseus*, who followed the *Orion*, passed between the *Zealous* and the *Guerrier*, so close to the latter, (whose foremast was by this time over the side,) only preserving sufficient distance to avoid entangling her rigging with the jib-boom of the enemy's ship, and, when abreast of her bow, poured in a broadside, until then reserved, the effect of which on the enemy was instantaneous. The main and mizen masts were also brought down. Thus, in less than fifteen minutes, was the van ship of this line reduced to a mere hulk, encumbered with the wreck of her own masts and yards, and doubtless the crew much mutilated. That destructive broadside was given just as the sun dipped into the horizon; after which the *Theseus* passed on the outside of the *Goliah*, and dropped her stern anchor ahead of her; and thus was placed inside the third ship of the enemy, *Le Spartiate*, and had commenced the cannonade about the time, or before, her leader, the *Orion*, was got completely placed, from the little interruption before mentioned.

The *Audacious* followed next, and passing between *Le Guerrier* and *Le Conquérant*, increased the misfortunes of those ill-fated ships by a destructive fire, and afterwards dropped her stern anchor, so as to preserve her station inside the bow of the latter, over whom the *Goliah* had already got a decided superiority, by the comparative fire maintained. The breeze by this time (as before observed) had lessened as the day closed; most probably too, it had been lulled by the effect of the cannonade which had lasted for

some time; hence the ships which were in the rear of the British squadron were not enabled to close with the celerity suitable to the ardour of their commanders.

The Vanguard was the follower of the Audacious; but she did not, like the five which had preceded her, pass the enemy's line; the rank of the admiral, (whose flag this ship bore,) gave him a privilege of deviating from the example of his leaders, whose manœuvres were to be guided by his direction; she was anchored by the stern outside, and close to the third ship from the van, *Le Spartiate*. Her followers respectively passed on ahead of their leader, anchoring by the stern as they came up on the outside, as the admiral had done. Thus, the *Minotaur*, *Defence*, and *Swiftsure*, took position abreast of the fourth, fifth, and sixth ships from the van; by which arrangement it was left for the *Bellerophon* to attack the French admiral's ship, *L'Orient*, of three decks; * nor was the undertaking shrunk from, because of the apparent inequality of the contest; the *Bellerophon*'s stern anchor was dropped on the outside bow of *L'Orient*, whose collection of heavy batteries was reserved for the close. By this time the day was so much closed, as to obscure from general view the conduct of each ship; particularly towards the centre, which was covered with the clouds of smoke blown thither from the van, by the light breeze which yet continued. Under these circumstances, the *Majestic*, which followed the *Bellerophon*, had actually to grope for an antagonist; in doing which, it is said, she found her jib-boom had entered the main rigging of some of the enemy's ships astern of the admiral, by whom she was most severely treated while thus entangled; but, after some time, she swung clear, and avenged herself completely on another of the enemy further astern.

Having thus got all the ships into action, that had formed the body of the squadron, the *Culloden*, who had been detained by the towing of a wine vessel, may now be looked after; also the *Alexander* and the *Leander*, who had been thrown out astern, by their having been on the look-out towards Alexandria. It was with extreme mortification observed, that the former had run aground on a shoal, which was found to extend N. E. from the point on which the castle stood. It may be better imagined than described what were the feelings of the gallant commander and crew of that ship, to be so arrested in their passage to the participation of the fatigues and glory of the combat then depending. The loss of the assistance of such a ship, on so important an occasion too, must have excited emotions of deep regret among those engaged, many of whom had witnessed at St. Vincent, how eminently that ship, under the command of the same officer, *Trowbridge*, and with the same crew, had been distinguished. Great as was this loss, still it yielded some consolation to conclude, that her running aground served as a beacon to induce the two ships, (*Alexander* and *Leander*.) then to the westward of her, to haul more out to the offing, than they might otherwise have done, from an anxiety to be as soon as possible up to the assistance of their companions; in which case the aid of two ships would have been lost, instead of one. The *Mutine* brig made towards the *Culloden*, and remained to render her assistance in getting off the ground; and the *Leander*, in passing, made a communication to know if she could render any effectual aid; that being judged impracticable, she followed her companion, the *Alexander*, who, having rounded the end of the shoal, was then steering for the centre of the enemy, under all sail; nor did she shorten any, until closed with the French admiral's ship, whom she passed, and then anchored in a most judicious position inside of that tremendous vessel, whom she attacked with a briskness, and maintained with such vivacity, as indicated the impatience of the crew who had been thrown out so long from joining in the action. Without pretending to minute accuracy in regard to time, this may be stated to have taken place about, or soon after, eight

* The difference of force between *L'Orient* and the *Bellerophon*, or any other of the squadron, by estimating the weight of ball fired from one broadside of each, was above seven to three, and the weight of ball from *L'Orient*'s lower deck alone exceeded that from the whole broadside of the *Bellerophon*.

o'clock. Soon afterwards, the *Leander* ran in under the stern of the fifth ship; and, anchoring there, took a position whereby she could, without annoyance, fire her guns of one side into the stern of *Le Peuple Souverain*, and those of the other side into the bows of the *Franklin*. It is unnecessary to remark on what must have been the effect of so destructive a raking fire, even from a ship of the *Leander's* small force.

Thus did each of the British ships enter into action. The result shows the manner in which each performed its duty. By the time the last-mentioned ships got placed in their respective positions, those which formed the van of the enemy had been silenced, and some had struck. Their submission had extended as far as the fourth ship, about nine o'clock; and, shortly afterwards, *L'Orient*, in their centre, was discovered to be on fire, which spread with such rapidity that she was soon in a general blaze, and precluded even a shadow of hope for her preservation. The cannonade was, in the mean time, maintained with undiminished spirit by the British ships against those opponents who had not yet surrendered. About ten o'clock the fire had reached *L'Orient's* magazine, when she blew up with a most tremendous explosion, by which fragments of her wreck were thrown to a considerable distance on every side; and those ships, which were nearest, were for some time completely obscured by the thick column of smoke which spread around.* The cannonade at that moment ceased, and a silence ensued, strongly expressive of the awe with which the minds of the combatants were impressed by that dreadful event. In about ten minutes the cannonade was resumed, nor did the firing entirely cease till three o'clock. Then terminated the famous battle of the Nile, where every British captain was a hero, and Sir James Saumarez inferior to none. The *Orion* had thirteen men killed and twenty-nine wounded, including among the latter number her brave commander, who received a severe contusion on the side, notwithstanding which he refused the earnest solicitations of his officers to be taken below, and remained upon deck till the action ceased.

The next service performed by Sir James Saumarez was to escort six of the prizes captured in the late battle, and he arrived at Plymouth in November; but the *Orion* being found to want considerable repair, she was paid off early in the following year. He was now honoured, for a second time, with a gold medal and a ribband, and the inhabitants of Guernsey, as a mark of attachment and respect to their distinguished countryman, presented him with a magnificent vase, of considerable value. On the 14th of February, in the same year, he was appointed to one of the colonelcies of marines, and obtained the command of the *Cæsar*, of eighty-four guns, the first of that force on two decks ever built in England, in which he joined the channel fleet, and cruised off Brest during a long and tempestuous period.

At the promotion which took place January 1, 1801, Sir James Saumarez became a rear-admiral of the blue; and on the 18th of June following, he was created a baronet, with permission to wear the supporters belonging to the arms of his family, which have been registered in the Herald's Office ever since the reign of Charles the Second. Subsequently to his advancement to the rank of a flag officer, Sir James commanded a division of the grand fleet stationed off the Black Rocks; and nothing can manifest in a stronger light his unwearied zeal and sleepless vigilance, than by stating, *that not a single square-rigged vessel of any description sailed from or entered into the port of Brest during the whole time he remained on that station.*

On his return from that severe duty, the rear-admiral was ordered to prepare for foreign service; and on the 14th of June, he sailed from Plymouth with a squadron consisting of five sail of the line, one frigate, one

* When *L'Orient* blew up at the battle of the Nile, the *Orion* was considerably endangered by the explosion. Nineteen of her crew swam on board the *Orion*, and were received by the men with the utmost compassion and tenderness; and prompted by a generous impulse, natural and perhaps peculiar to British seamen, they actually stripped themselves and clothed those they had saved.

brig, and a lugger, destined for the blockade of Cadiz, off which port he was joined by two more ships of the line. With this squadron he achieved the glorious victory, Algeiras, and of as a full account of this battle will be most acceptable to every Guernseyman, we shall detail the particulars at length, commencing with Sir James's dispatches to the admiralty.

Copy of a letter from Rear-Admiral Sir James Saumarez to Evan Nepean, Esq., dated on board his Majesty's ship, *Cæsar*, at Gibraltar, the 6th July:—

"Sir,—I have to request you will be pleased to inform my lords Commissioners of the Admiralty, that, conformably to my letter of yesterday's date, I stood through the Straits, with his Majesty's squadron under my orders, with the intention of attacking three French line of battle ships and a frigate, that I had received information of being at anchor off Algeiras; on opening Cabareta point, I found the ships lay at a considerable distance from the enemy's batteries, and having a leading wind up to them, this afforded every reasonable hope of success in the attack.

I had previously directed Captain Hood, in the *Venerable*, from his experience and knowledge of the anchorage, to lead the squadron, which he executed with his accustomed gallantry; and although it was not intended he should anchor, he bound himself under the necessity so to do, from the wind's failing, (a circumstance so much to be apprehended in this country,) and to which cause I have to regret he want of success in this well-intended enterprise. Captain Stirling anchored opposite to the inner ship of the enemy, and brought the *Pompée* to action in the most gallant and spirited manner, which was also followed by the commanders of every ship in the squadron.

Captains Darby and Ferris, owing to light wind, were prevented for a considerable time from coming into action: at length the *Hannibal* getting a breeze, Captain Ferris had the most favourable prospect of being alongside one of the enemy's ships, when the *Hannibal* unfortunately took the ground, and I am extremely concerned to acquaint their Lordships, that, after having made every possible effort with this ship and the *Audacious*, to cover her from the enemy, I was under the necessity to make sail, being at the time only three cables' length from one of the enemy's batteries.

"My thanks are particularly due to all the captains, officers, and men under my orders; and, although their endeavours have not been crowned with success, I trust the thousands of spectators from his Majesty's garrison, and also the surrounding coast, will do justice to their valour and intrepidity, which was not to be checked by the fire from the numerous batteries, however formidable, that surround Algeiras.

"I feel it incumbent upon me to state to their Lordships the great merits of Captain Brenton, of the *Cæsar*, whose cool judgment and intrepid conduct I will venture to pronounce were never surpassed. I beg also to recommend to their Lordship's notice, my flag lieutenant, Mr. Philip Dumaresq, who has served with me from the commencement of the war, and is a most deserving officer. Mr. Lamborne and the other lieutenants are also entitled to great praise, as well as Captain Maxwell of the marines, and the officers of his corps serving on board the *Cæsar*.

"The enemy's ships consisted of two of eighty-four guns, and one seventy-four, with a large frigate; two of the former are aground, and the whole are rendered totally unserviceable.

"I cannot close this letter without rendering the most ample justice to the great bravery of Captain Ferris: the loss in his ship must have been very considerable, both in officers and men; but I have the satisfaction to be informed that his Majesty has not lost so valuable an officer. (Signed) J. SAUMAREZ.

"P. S. The honourable Captain Dundas, of his Majesty's polacre the *Calpe*, made his vessel as useful as possible, and kept up a spirited fire on one of the enemy's batteries. I have also to express my approbation of Lieutenant Janvrin, commander of the gun-boats, who, having joined me with intelligence, served as a volunteer on board the *Cæsar*."

Second dispatch to Evan Nepean, Esq., dated on board the *Cæsar*, off Cape Trafalgar, July 13:

"Sir,—It has pleased the Almighty to crown the exertions of this squadron with the most decisive success over the enemies of their country.

"The three French line of battle ships, disabled in the action of the 6th instant, off Algeiras, were, on the 8th, reinforced by a squadron of five Spanish line of

battle ships, under the command of Don Juan Joaquin de Moreno, and a French ship of seventy-four guns, wearing a broad pendant, besides three frigates, and an incredible number of gun-boats and other vessels, and got under sail yesterday morning, together with his Majesty's late ship Hannibal, which they had succeeded in getting off the shoal on which she had struck.

"I almost despaired of having a sufficient force in readiness to oppose to such numbers, but, through the great exertions of Captain Brenton, the officers and crew of the *Cæsar*, the ship was in readiness to warp out of the Mole yesterday morning and got under weigh immediately with all the squadron, except the *Pompée*, which ship had not had time to get in her masts.

"Confiding in the zeal and intrepidity of the officers and men I had the happiness to serve with, I determined, if possible, to obstruct the passage of this very formidable force to Cadiz. Late in the evening, I observed the enemy's ships to have cleared Cabareta point, and at eight I bore up with the squadron to stand after them. His Majesty's ship, *Superb*, being stationed a-head of the *Cæsar*, I directed Captain Keats to make sail and attack the sternmost ships in the enemy's rear, using his endeavours to keep in shore of them. At eleven, the *Superb* opened her fire close to the enemy's ships, and on the *Cæsar*'s coming up, and preparing to engage a three decker that had hauled her wind, she was perceived to have taken fire, and the flames having communicated to a ship to leeward of her, both were seen in a blaze, and presented a most awful sight. No possibility existing of offering the least assistance in so distressing a situation, the *Cæsar* passed to close with the ship engaged by the *Superb*, but by the cool and determined fire kept upon her, which must ever reflect the highest credit on that ship, the enemy's vessel was completely silenced, and, soon afterwards, hauled down her colours.

"The *Venerable* and *Spencer* having at this time come up, I bore up after the enemy, who were carrying a press of sail, standing out of the Straits, and lost sight of them during the night. It blew excessively hard till daylight, and in the morning the only ships in company were the *Venerable* and *Thames* a-head of the *Cæsar*, and one of the French ships at some distance from them, standing towards the shoals of Conil, besides the *Spencer* astern, coming up. All the ships immediately made sail with a fresh breeze; but, as we approached, the wind suddenly failing, the *Venerable* alone was able to bring her to action, which Captain Hood did in the most gallant manner, and had nearly silenced the French ship, when his mainmast (which had been before wounded) was unfortunately shot away, and it coming nearly calm, the enemy's ship was enabled to get off without any possibility of following her.

"The highest praise is due to Captain Hood, the officers and men of the *Venerable*, for the spirit and gallantry in the action, which entitled them to better success. The French ship was an eighty-four, with additional guns on the gunwale. The action was so near the shore, that the *Venerable* struck on one of the shoals, but was afterwards got off and taken in tow by the *Thames*; but with the loss of all her masts.

"The enemy's ships are now in sight to the westward, standing in for Cadiz. The *Superb* and *Audacious*, with the captured ship, are also in sight with the *Carlotta*, Portuguese frigate, commanded by Captain Crawford Duncan, who very handsomely came out with the squadron, and has been of the greatest assistance to Captain Keats, in staying by the enemy's ship captured by the *Superb*.

"I am proceeding with the squadron for Rosier Bay, and shall proceed, the moment the ships are refitted, to resume my station.

"No praises that I can bestow are adequate to the merits of the officers and ship's-companies of all the squadron, particularly for the unremitting exertions in refitting the ships at Gibraltar, to which, in a great degree, is to be ascribed the success of the squadron against the enemy. Although the *Spencer* and the *Audacious* had not the good fortune to partake of this action, I have no doubt of their exertion, had they come up in time to close with the enemy's ships. My thanks are also due to Captain Hollis, of the *Thames*, and to the Honourable Captain Dundas, of the *Calpe*, whose assistance was particularly useful to Captain Keats in securing the enemy's ship, and enabling the *Superb* to stand after the squadron.

"I herewith enclose the names of the enemy's ships:—*Real Carlos*, of one hundred and twelve guns, Captain Don. J. Esquerria. *San Hermenegildo*, of one hundred and twelve guns, Captain Don. J. Emperan. *San Fernando*, of ninety-four guns, Captain Don. J. Malina. *Argonaut*, of eighty guns, Captain Don J. Herrera. *San Augustin*, of seventy-four guns, Captain Don. R. Jopete. *San Antonio*, of seventy-four guns, under French colours, taken by the *Superb*. Wan-

on, French lugger, of twelve guns. The admiral's ship, the *Real Carlos*, and the *San Hermenegildo*, were the two ships that took fire, and blew up.

(Signed) JAMES SAUMAREZ."

With these dispatches, Sir James enclosed the following letter, addressed to him by Captain Keats, of the *Superb*:—

"Sir,—Pursuant to your directions, to state the particulars of the *Superb's* services last night, I have the honour to inform you, that, in consequence of your directions to make sail up to, and engage the sternmost of the enemy's ships, at half-past eleven I found myself alongside of a Spanish three-decker, (the *Real Carlos*, as appears by report of some survivors,) which, having brought in one with two other ships nearly line abreast, I opened my fire upon, at not more than three cables-length; this evidently produced a good effect, as well in this ship as the others abreast of her, which soon began firing on each other, and at times on the *Superb*.

"In about a quarter of an hour I perceived the ship I was engaging, and which had lost her fore-topmast, to be on fire; upon which we instantly ceased to molest her, and I proceeded on to the ship next at hand, which proved to be the *San Antonio*, of seventy-four guns, and seven hundred and thirty men, commanded by the *chef de division*, *Le Rey*, under French colours, wearing a broad pendant, and manned nearly equally with French and Spanish seamen, and which, after some action (the *chef* being wounded) struck her colours.

"I learn from the very few survivors of the ships that caught fire and blew up, (who, in an open boat reached the *Superb* at the same time that she was taking possession of the *San Antonio*), that, in the confusion of the action, the *Hermenegildo*, a first rate also, mistaking the *Real Carlos* for an enemy, ran on board her, and shared her melancholy fate.

"Services of this nature cannot well be expected to be performed without some loss; but though we have to lament that Lieutenant E. Waller, and fourteen seamen and marines have been wounded most severely, still there is reason to rejoice that this is the extent of our loss. I received able and active assistance from Mr. Samuel Jackson, the first lieutenant; and it is my duty to represent to you, that the officers of all descriptions, seamen and marines, conducted themselves with the greatest steadiness and gallantry. (Signed) R. G. KEATS.

According to the Spanish accounts of the first of these two engagements, published in the *Madrid Gazette*, there was another English ship, which, being greatly disabled, struck her colours before the *Hannibal*; but that she was towed off by a great number of gun-boats and other vessels, sent out from Gibraltar. According to the same accounts, the loss of the French in killed and wounded amounted to not fewer than eight hundred. The *Madrid Gazette* claimed the discomfiture and surrender of the *Hannibal*, as an honour due to one of the batteries of Algeiras, called *St. James's*. But the Spaniards were rational compared to the French. It was announced by an official note to all the theatres in Paris, that six English ships of the line had been either taken or beaten back into the harbour of Gibraltar, by three French ships. The same news was circulated by the French journals throughout the whole of their empire; but not a word was said about the batteries on shore. The 5th of July was called the "*Naval Marengo*." The destruction of the modern Carthage was predicted in an epigram greatly admired in Paris, because it had lost its *Hannibal*. From the result of the first engagement at Algeiras, the French nation, at large, inferred, without the smallest doubt, that their navy would soon be enabled, with proper attention, to contest the empire of the seas.

"Honour and glory" exclaims one of their journalists, "to the brave Linois, and the seamen who fought under him on the 5th of July! may an action so memorable form the epoch of the resurrection of the French navy, and prove to Europe, that it is not true that our navy is, from the nature and force of circumstances, destined to be inferior to that of England. The great example which has just been exhibited, will add to the means which it develops. It will encourage our seamen, show our enemies what we can do, and prepare new triumphs."

This specimen of French rhodomontade will make our readers laugh, and no doubt the following statement will be found equally amusing. The escape of the French ship, the *Formidable*, from the *Venerable*, in the

second action, was represented in Paris as a great naval victory, and a signal instance of the reviving glory of the French marine. Troude, the officer who commanded the Formidable, which was the admiral's ship, while his flag was hoisted on board a frigate, declared, that he was attacked by no fewer than three English ships of the line, and a frigate; *all of which he obliged, by well-pointed broadsides, to sheer off.* They left him, he said, in possession of the field of battle, where he expected they would renew the engagement; but, as they judged it prudent to retire, and as he was not in a situation that admitted of his pursuing them, the valiant Captain Troude determined to continue his route to Cadiz, where he arrived on the 13th July, about two o'clock in the afternoon. There also the other crippled remains of the combined squadrons found shelter. Sir James Saumarez went to refit at Gibraltar; from whence, in a few weeks, he returned to blockade the enemy in Cadiz.

The valuable services rendered to his country by Sir James Saumarez, were rewarded by the united approbation of his king and country. The star and ribband of the most honourable military order of the Bath were transmitted to him by the command of his Majesty, and Lieutenant-Governor O'Hara, in the presence of all the officers of the garrison of Gibraltar, invested Sir James with this distinguished decoration. The same ceremony was performed in London, where our hero was represented by the proxy of Sir Thomas Saumarez, of Petite Marche, in this island. On this occasion, with a view to give every possible *éclat* to the scene, her Majesty, the princess of Wales, and the princesses Augusta, Elizabeth, Mary, Sophia, and Amelia, were present. It may gratify our Guernsey readers to read the names of the other distinguished men who received the order of the Bath at the same time as their illustrious countryman. The knights personally installed were Sir Alured Clarke, Sir Henry Harvey, Sir J. F. Cradock, Lord Henley, the Right Honorable Sir W. M. Pitt, Sir Joseph Banks, Sir James Henry Craig, Sir James Colpoys, Lord Hutchinson, Sir Eyre Coote, and Sir David Dundas. The knights installed by proxy were: Sir William Meadows, by Sir James Pulteny; Lord Whitworth, by Sir F. Whitworth; Sir John Borlasse Warren, by Sir Edmund Nagle; Viscount Nelson, by Sir W. Bolton; Sir Thomas Graves, by Sir Rupert George; Sir Thomas Trigge, by Sir Charles Greene; Sir James Saumarez, by Sir Thomas Saumarez; Sir R. Abercromby, by Sir Samuel Auchmuty; Lord Keith, by Sir Francis John Hartwell; Sir Andrew Mitchell, by Sir Richard Hankey; Sir John Thomas Duckworth, by Sir George Shee.

In conferring the order of the Bath, a curious ceremony was observed, which, we apprehend, is not generally known. On the procession arriving at the door in Poet's Corner, *the king's cook*, dressed in full court dress, bowed to each knight, and addressed him thus: "Sir Knight, the great oath that you have taken, if you keep it, will be a great honour to you; but if you break it, I have power, by virtue of my office, to hack the spurs from off your heels." Each of the knights bowed to him, and touched his hat. Some of them asked him, if there were any fees to be paid? to which he answered, he would do himself the honour to call upon them. He received four guineas for this extraordinary speech.

On the 3d of March, 1803, a superb sword, and the freedom of the city of London, were presented to Sir James Saumarez, by the chamberlain, for the victories obtained by the squadron under his command, over the Spanish and French fleets, off Algeiras and Cape Trafalgar.

On the 24th March, in the same year, the chancellor of the exchequer brought down a message from his Majesty, which, in consequence of the eminent services performed on various occasions by Sir James Saumarez, and particularly by his spirited and successful attack upon a superior fleet of French and Spanish ships in the Straits of Gibraltar, on the 12th July, 1801, recommended the grant of an annuity of £1,200 to Sir James Saumarez, for the term of his natural life. When this message was taken into

consideration the next day, the chancellor of the exchequer recounted his former services under Lords Rodney, St. Vincent, and Nelson; but particularly dwelt on the last gallant action, when he had acted as commander-in-chief. After a complimentary speech, he concluded by moving a resolution, agreeably to the recommendation of his Majesty, which was unanimously adopted.

The thanks of parliament, proposed in the house of lords by Earl St. Vincent, who was at that time first lord of the admiralty, were unanimously carried. His lordship stated the merits of the action in the bay of Algesiras, in which, though a ship was lost, no honour was lost to the flag; and though Sir James's squadron was so greatly crippled, he was enabled, by the most wonderful exertions, to meet the enemy, who had put to sea with an augmented force; while his own was diminished in the same ratio, by the loss of the Hannibal, the disabled state of the *Pompée*, and the separation of the *Spencer* and *Audacious*.

"This gallant achievement," said the Earl, "surpasses every thing I have met with in reading or service: and when the news of it arrived, the whole Board at which I have the honour to preside, were struck with astonishment to find that Sir James Saumarez, in so very short a time after the battle of Algesiras, had been able, with three ships only, and one of them disabled, especially his own, to come up with the enemy, and with unparalleled bravery to attack them, and obtain a victory highly honourable to himself, and essentially conducive to the national glory."

Lord Nelson seconded the motion, and, after bearing ample testimony to the exalted character of Sir James, concluded a most animating speech with these words:—

"A greater action was never fought than that of Sir James Saumarez. The gallant Admiral had, before that action, undertaken an enterprise that none but the most gallant officer and the bravest seaman could have attempted. He had failed through an accident—by the failing of the wind; for I venture to say, if that had not failed him, Sir James would have captured the whole of the French squadron. The promptness with which he refitted,—the spirit with which he attacked a superior force after his recent disaster, and the masterly conduct of the action, I do not think were ever surpassed."

However gratified Sir James must have felt by the approbation of his sovereign, the thanks of parliament, and the praise bestowed by the citizens of the capital of the empire, yet must he have experienced a warmer glow of honest pride in thus receiving the personal commendation of the heroes of St. Vincent and the Nile, with both of whom he had shared the laurels so nobly won in those two memorable engagements. Such an extraordinary piece of good fortune rarely happens to man. Many receive honours for doubtful services, and not a few are indebted to mere accident or court favour for their promotion. But we have here the direct testimony of two admirals in favour of a third admiral, all three having given the most signal proofs in the face of Europe, aye, of the whole world, of their competency to judge with discretion of the real merit of naval exploits. It is glory, indeed, for the descendants of a Saumarez to know, that their ancestor received the highest possible praise from a Jervis and a Nelson.

It may also be here observed, though nothing need be added to the approbation bestowed on the hero of Algesiras by two of the first seamen in the British navy, that Lord Nelson was followed by his royal highness the Duke of Clarence, (his present most gracious Majesty,) who gave his testimony in favour of Sir James and his captains, officers, and men, in the most elegant and ample manner; and the admiral was requested to make known the vote of the house to his squadron.

He was next appointed to the command at the Nore, which he retained for a short period, and then received the command at Guernsey. Having hoisted his flag on board the *Cerberus*, of thirty-two guns, commanded by Captain Selby, he took under his orders the *Charwell* sloop of war, with the *Terror* and *Sulphur* bombs, and proceeded off Granville, in the pier of which

place the enemy had collected a number of gun vessels. Sir James approached so near the town as to have only sixteen feet at low water; and the Terror bomb, commanded by Captain Hardinge, actually grounded; but that officer soon afterwards got his ship off, and placed her in the position assigned by the admiral. Captain Macleod, in the Sulphur, from the bad sailing of his ship, had little share in this day's action; but a severe bombardment, nevertheless, ensued. On the following morning, the two bomb vessels were accurately placed, and opened a well-directed fire, which lasted from five o'clock till half-past two. Twenty-two gun vessels came out of the pier, and fired at the bombs, without doing any execution. The tide falling, the rear-admiral was obliged to withdraw, and, in his retreat, the Cerberus grounded, and remained three hours on the bank. Nine of the gun boats attacked her, but were soon compelled to desist by the fire of the Charwell and Kite, and the other small vessels of the squadron. The enemy's works were very strong, yet it does not appear that our ships received any damage, either from them or their flotilla.

Being promoted to the rank of vice-admiral, Sir James Saumarez was nominated second in command of the Channel fleet, under Earl St. Vincent. His lordship being absent on admiralty leave, Sir James was employed in watching the enemy's fleet in Brest, until the month of August following; when, upon the appointment of Lord Gardner to the chief command of the Channel fleet, he resumed his former station. In the month of March, 1808, Sir James was appointed to the command of a strong squadron sent to the Baltic for the protection of the Swedish dominions, on which station he continued for four years. Previously to his departure for England, Sir James received a superb sword, which was delivered to him by Baron Essen, aide-de-camp to the crown prince, accompanied by a flattering letter from his royal highness, expressive of the sense which the Swedish government entertained of his services. The whole of the hilt was elegantly set in brilliants of exquisite workmanship and great value. On the 24th June, 1813, his Majesty George the Fourth, then prince regent, was pleased, in compliance with the request of the late king of Sweden, to invest Sir James with the insignia of a knight grand cross of the royal Swedish military order of the sword, conferred upon him by that monarch, as a distinguished testimony of his royal regard and esteem.

Nor was this the only mark of respect and esteem that our hero received from the court of Sweden. His present Majesty, the famous Bernadotte, sent to Sir James his full length portrait, accompanied by the following handsome letter from Gustavus, baron de Wetterstedt, commander of the order of the polar star, chancellor of the court, and one of the eighteen members of the Swedish academy.

“Stockholm, 7th October, 1834.

“My Lord—For a considerable time the king, my august sovereign, has intended to present you with his full length portrait, as a mark of his esteem for the signal services that you rendered to Sweden in the years 1810-1812.

“Various circumstances have hitherto retarded its transmission, which his Majesty the more particularly regrets, as he is aware of the interest you attach to this token of his remembrance. The favourable opportunity which now presents itself for embarking the portrait on board his British Majesty's steam vessel the Lightning, which just conveyed hither Mr. Disbrowe, has been seized by the king, and I have the honour to announce to you in his name that the shipment has been completed.

“In placing under the portrait this inscription, “Charles XIV. Jean, to James Lord Saumarez, in the name of the Swedish nation,” his Majesty has been pleased to transmit to posterity an unequivocal proof of the recollection which remains with himself and with the people whom he governs, of the enlightened views of the British government at a critical and memorable period of European history, and of the noble loyalty with which they were carried into effect by your Lordship.

“I am the more gratified in being the organ of this communication to your Lordship, as it affords me the opportunity of adding my own personal sentiments,

and of expressing the high consideration which I entertain of your character.—I have the honour to remain, my Lord, your very humble and obliged Servant,
(Signed) THE COUNT DE WETTERSTEDT.

To the Right Honourable Lord Saumarez, Admiral in the service of His Britannic Majesty, Commander Grand Cross of the Royal Swedish Order of the Sword."

We may here remark again what we observed on the subject of the national vote of thanks being moved and seconded in the house of lords by Earls St. Vincent and Nelson, for few men in Europe are better able to appreciate character and conduct than the sagacious Bernadotte, who, from the rank of a simple soldier, gained a crown in the great European lottery, which, in all human probability, he will transmit peaceably to his descendants. The praise of this eminent Frenchman, one of the greatest masters of the art of war in modern times, sheds lustre on the name of Saumarez, who, after having received the thanks of his own countrymen, was further honoured by the grateful esteem of the whole Swedish nation, expressed and communicated by the freely elected sovereign of their own choice.

The last naval command discharged by Sir James was that of port admiral, at Plymouth, where he won the esteem of the inhabitants. He hoisted his flag on the 24th March, 1824, and struck it on the 10th May, 1827. The Devonport Telegraph of the 15th October, concludes a brief biographical notice with the following remarks :

"His last command was at this port, for three years, where his memory will be long cherished for his urbanity and charitable disposition. The gallant exploits and achievements of this great officer will stand recorded in the annals of the British navy to the end of time. There is no naval officer living, or gone by, who has commanded a ship in so many general actions. But he was not only eminent as a warrior. He was distinguished for moral worth and sincere and genuine religious principles. His charities were unbounded, and in amiability of disposition and urbanity of manners, he was excelled by no one."

It was a matter of national astonishment that the peerage was not bestowed on Sir James at an earlier date. Most assuredly, he ought to have received that reward at the general peace, but George the Fourth displayed a marked and ungenerous partiality for the army, and dealt out the royal favours with a niggardly hand to the navy. Byron reproached him most truly with this injustice.

Nelson was once Britannia's god of war,
And still should be so, but the tide is turned;
There's no more to be said of Trafalgar,—
'Tis with our hero quietly burned;
Because the army's grown more popular,
At which the naval people are concerned;
Besides, the prince is all for the land service,
Forgetting Duncan, Nelson, Howe, and Jervis.

Earl Grey, to whom the present and future generations owe an eternal debt of gratitude, for his strenuous support of civil and religious liberty, was fully sensible of the unhandsome and ungrateful conduct of the ministers towards Sir James Saumarez, and openly announced his sentiments at a meeting of the Royal Naval Club, at Plymouth, on the 6th August, 1825 :

"I rise," said the noble earl, "to offer my best thanks for the manner in which the president (Sir James Saumarez) has been pleased to propose my health, and for the assent which the gentlemen present have given to the gallant admiral's favourable view of me as a public character. I cannot but remind those about me of the merits of the noble officer then at the head of their table. Although not noble exactly in title, I dare to affirm that he *ought* to be so, and that the world will agree with me in thinking so; for who could fail to recollect the career which the admiral had so nobly run, from Rodney's glorious day, the battles off Cape St. Vincent and the Nile, down to his own brilliant exploits in the Crescent, and as commander in chief at Algeiras, and not to say, that if ever name should or would have graced the peerage, it should have been that of Saumarez."

Ralphe, in his Naval Biography, after alluding to this speech of Earl Grey, makes the following just remarks :

"Were it a matter of importance to adduce further proof of the high opinion entertained of Sir James's abilities and his amiable character, we believe we might name nearly the whole list of admirals; for we have never yet conversed with a single officer who was not loud in his praise, and who did not think the service neglected in his person. When such an unanimity of feeling prevails, it appears strange that it should never have been gratified; and the only solution we can offer is, that he has always kept aloof from the great political parties of the state. We have heard that he has been once or twice offered by the minister of the day a seat in the house of commons, particularly on the death of Admiral Rainer, when the representation of the borough of Sandwich became vacant; but which he declined. To this circumstance we must also attribute his being passed over when the major-generalship of marines became vacant in 1818, which was intended to reward long and meritorious services; but which was then given to a very junior officer, a friend of the first Lord of the Admiralty."

At length this slur on the national gratitude was wiped away, and the gallant admiral was raised to the peerage in 1831.

The people of Guernsey, justly proud of their distinguished countryman, conferred on him every honourable mark of attention that was in their power to bestow. At a meeting of the States of Guernsey, held on the 3rd March, 1829, the bailiff made the following communication:

"The Court has considered this to be a favourable opportunity to discharge another duty which they owe to their country, in soliciting Admiral Sir James Saumarez, Bart, G. C. B., if the States are of my opinion, to allow his portrait to be taken, and placed at the disposition of the States. The name alone of this distinguished officer relieves me from the necessity of pronouncing any eulogium on his character, since the whole world acknowledge that he, at this moment, occupies the first rank among the heroes of the British navy. And if that navy, and the United Kingdom feel honoured by the association of his name with the heroes who have guarded her flag, how much greater cause have we, as Guernsey-men, to be proud of his glory. The splendour of a name which sheds lustre on this island is an inducement more than sufficient to urge the States to procure the portrait of their distinguished countryman; if other motives were required, many exist which are personal to ourselves. The States cannot, more especially, forget the donation of five hundred pounds, in the four per cent. consols, recently presented by him to Elizabeth College for the purpose of founding an annual prize of twenty pounds, to be bestowed on the scholar who has made the most proficiency in literature."

This proposition was unanimously adopted by the States, who requested Sir James to assent to it, as a testimony of their esteem for him as an individual, and as a mark of their admiration for the eminent services he had rendered to his king and country.

When intelligence reached the island that the admiral had been raised to the peerage, all classes of the community manifested the pleasure they enjoyed at this signal honour, he being the first native of Guernsey who had taken his seat in the house of lords. On the 6th October, 1831, the bailiff officially announced this joyful news in his Billet d'Etat, and in the following terms:

"The elevation of one of our citizens to one of the highest dignities of the kingdom, cannot fail to inspire us with the most lively gratification. His Majesty has rewarded with the most distinguished honour the eminent services which he has rendered to the country. Guernsey, which, besides the public man, recognizes in him all the virtues which adorn a private station, ought, on this happy occasion, to testify how sincerely she honours his character. To mark our esteem, the authorities of the bailiwick, at the head of the whole population, ought to crowd around him at his return, and proffer their congratulations. I should fail in my duty to the States, were I to omit affording them this opportunity."

In reply to this address, the States unanimously agreed to meet at the court house on the day after the arrival of Lord de Saumarez, at eleven o'clock in the morning, and thence to repair to the residence of their estimable fellow-citizen, and felicitate him on his elevation to the peerage. His lordship reached Guernsey on Tuesday, 25th October, and the States assembled at the court house on the following morning. As soon as the names of the members had been called over—all of whom were present

with the exception of the Rev. N. P. Dobrée, who was prevented by sickness from attending—the bailiff observed, that as the address would be that of the States as a body, it was necessary that it should be previously agreed upon, and approved of by the States. He therefore read one which he had prepared, and which, on being submitted to the meeting, met with the unanimous approbation. The States, after having ascertained from the deputy sheriff, who had waited for this purpose on Lord de Saumarez, that his lordship was prepared to receive them, formed outside of the court house, and proceeded to his lordship's residence in the following order: the royal court—the clergy—the constables of the various parishes. These were followed by about seventy of the most respectable gentlemen of the island, who availed themselves of this occasion to offer their congratulations to his lordship. His lordship, surrounded by Lady Saumarez and the members of his family then in the island, most affably received the whole company in a spacious drawing-room. His lordship was attired as a private gentleman—wore no other decoration than the star of the Bath—and appeared in such excellent health and spirits, that he looked at least ten years younger than most persons of his age. As soon as the whole company had been introduced, the bailiff, bowing to his lordship, read to him the following address:

“MY LORD—The States of Guernsey, proud of the honour so deservedly and graciously conferred by his Majesty on their distinguished countryman, came, at their last meeting, to the unanimous resolution of waiting upon him to express their joy and congratulations. In conformity with that resolution, the States do now come to congratulate your lordship on your elevation to the peerage, with an absolute conviction on their minds that on no occasion did their sentiments more truly represent those of the inhabitants.

“The history of all nations is known chiefly by the lives of their eminent and celebrated men. The life of your lordship, whilst it adorns the bright pages of England herself, cannot fail to shed lustre on the annals of this island, in which, besides the services rendered to the whole kingdom, will be inscribed your lordship's beneficence to the poor, to public improvement, and to general education.

“May the example of your lordship fill the minds of our youth with lofty and generous thoughts! May it so stimulate them to virtuous deeds, and pursuits of utility, that this island collectively may render its name as illustrious as that of your lordship individually will ever remain.”

To this address his lordship replied, that the pleasure which his countrymen manifested on his elevation to the peerage was highly gratifying to his feelings, and the flattering manner in which they now came to express it, was certainly what he could not have expected. It was true that he had long served his country; and that, through the blessing of the Almighty, to whose providence he would ascribe his successes, he had won victories of some importance. He was proud to add, that the honour which had been conferred on him by his sovereign had long been acknowledged to be due to him, and that the nation had hailed it with universal satisfaction. He went on to say, that he would ever continue to feel the same interest as he had hitherto done in the welfare of Guernsey, and would always endeavour to promote it. It gave him great pleasure to be able to inform the States, that his Majesty had been pleased to express his satisfaction at the title he had chosen, (Baron de Saumarez, of the island of Guernsey,) inasmuch as it would afford pleasure to the inhabitants of Guernsey. His lordship ended his speech by stating, that his feelings were so wrought on by the flattering mark of respect which was paid him, that he could not say all he could have wished to express on this occasion, but that he begged the members of the States, and the other gentlemen present, to accept his thanks for the honor they had done him.

Most of the gentlemen in the room then shook hands with his lordship, after which the company withdrew, those who wished first partaking of the refreshments which had been provided for them.

No Guernseyman ever did more to improve the general character of his countrymen than Lord de Saumarez. He stood prominently forward to en-

courage every useful institution, not by mere nominal patronage, but also by munificent pecuniary contributions. He was president of the Guernsey Auxiliary to the British and Foreign Bible Society—Patron of the National Schools, of the Bethel Union, the Provident Society, the Church of England Sunday School, the Church of England Missionary Society, the Society for promoting Christianity among the Jews, &c. &c. The ground on which St. James's church stands was his property; he made a free gift of it to the building committee, and subscribed one thousand pounds towards its construction. He assisted in improving the salaries of the masters and mistresses of all the parochial schools, and was principally instrumental in founding the Sunday school in the Town parish. He founded an exhibition in Elizabeth College for the best classical and theological scholar. He gave three hundred pounds in the C  tel parish, where his country seat was situate, for the payment of a salary to the mistress of the girls' school. He distributed at Christmas, in each year, warm clothing to the poor of every parish in the island; and, conjointly with the late dean, the Rev. Mr. Durand, succeeded, after many fruitless attempts, in establishing the National School in St. Peter-Port. And by his will, his lordship bequeathed one hundred pounds to each parish in the island, for the purchase of rents, the proceeds of which are to be distributed by the rectors and churchwardens to the necessitous poor.

Of this truly good and great man it may be honestly said, that he ever kept in mind the declaration of the apostle, "No man liveth unto himself." He considered the great wealth that he possessed as "trust money," for which he would have to account to that Being who had confided it to his care. It is in Guernsey alone that his irreparable loss can be duly appreciated. No liveried menial was ever allowed to drive a poor man or woman from his gate. It was sufficient to be in misfortune, to touch the sympathy of Saumarez. In the middling classes of life, he displayed his zeal in procuring promotion for young men of merit; and, indeed, there are but very few families in Guernsey who have not directly or indirectly benefitted by his liberality and his patronage.

It is worthy of remark that his lordship, at the time of his death, had been longer invested with the insignia of grand cross of the order of the Bath, than any one now living.

He was married on the 27th October, 1788, to Martha, only daughter of Thomas Le Marchant, Esq., (by marriage with Miss Mary Dobr  e, two of the most ancient and respectable families in the island.) and by that lady has had several children, four of whom only survive, to wit, the Honourable and Reverend James Saumarez, rector of Huggate, in Yorkshire, now Lord de Saumarez, the Honourable John Vincent Saumarez, captain of the first battalion of the rifle brigade, and two daughters.

To those who never saw his lordship, a brief description of his person will be gratifying. He had an erect and commanding figure even in old age. In stature he was about five feet eleven inches high, and formed in the best proportions. The expression of his countenance was bland and dignified, and happily indicated the character of his heart and the loftiness of his mind. He possessed that true nobility which disdains all stilted pride, and those of an inferior station approached him with confidence, and quitted him with admiration.

His lordship died a few minutes before twelve at night, on Sunday, the 9th of October, at his country residence, in the C  tel parish, in the island of Guernsey, in the eightieth year of his age. He was Admiral of the Red, General of Marines, Grand Cross of the Most Honorable Military Order of the Bath, and of the Royal Swedish Order of the Sword, Doctor of the Civil Law, a Vice-President of the Naval Charitable, and of the Naval and Military Bible Societies, and one of the Elder Brethren of the Trinity House.

The following description of the funeral we extract from the *Guernsey Comet* of the 13th October, which we know to be complete and exact in every particular:

THE FUNERAL.

His Lordship, during his life time, had always expressed a wish to be buried in the most private manner possible, without the least display; and in this, as in every other particular, the Right Honourable Lady De Saumarez, his amiable relict, has scrupulously attended to his Lordship's injunctions; and that there should be neither pomp nor ostentation, she respectfully declined accepting the honours which were proffered on this mournful occasion by the civil and military authorities of the island, who, notwithstanding, deemed it indispensable to the gratification of the public feeling, to show their respect to the memory of the deceased, in the manner they thought the least ostentatious.

The mortal remains of his lordship were deposited in an oaken coffin, and the only ornament about it was contained on a breast-plate with the following modest inscription :—

ADMIRAL
THE RIGHT HONOURABLE
JAMES LORD DE SAUMAREZ, BART.,
G. C. B., AND K. S.,
GENERAL OF MARINES.
BORN THE 11th OF MARCH, 1757.
DIED
THE 9th OF OCTOBER, 1836.

A few minutes after twelve o'clock, at noon, on Thursday, the 13th of October, the cortège left his Lordship's country seat, Câtel parish.

The following was the order of the procession :—

The Very Reverend the Dean, the Reverend J. W. Chepmell, and the Reverend Havilland Durand.
Mr. C. Ozanne, clerk of the Câtel, and Mr. Armstrong, clerk of St. James's Church.
Mr. J. Chateau, jun.

Then came the coffin, borne by six men on their shoulders.

BEARERS.

Captain Durell De Saumarez,
R. N.

Captain Mauger, R. N., *Villette*.

Major White, Commanding the
depot of the 70th regiment.

The Honourable Colonel Gardner,
R. A.

BEARERS.

Captain Mansell, R. N.

Lieutenant-Colonel Cunningham,
Commanding R. E.

Col. Guille, King's aid-de-camp,
Island Militia.

His Excellency Major-Gen. Ross,
Lieut.-Governor of Guernsey.



MOURNERS.

Captain Saumarez, Mr. Herries, Reverend T. Brock, Saumarez Dobrée, esq., Colonel Mann, Captain Lihou, R. N.
Six servants of his Lordship's family.

Mr. W. H. Brock,
Lieutenant-Colonel S. Brock,
Major Lacy,
Major De Havilland,
Captain Chepmell,
Mr. John De Saumarez,
Mr. James De Saumarez,
Mr. H. De Saumarez,

Lieutenant-Colonel De Havilland,
Mr. G. Lefebvre, His Majesty's late
Greffier,
Mr. N. Lefebvre, Sheriff,
Mr. John Le Marchant,
Mr. Thomas Carey, *Rozel*,
Mr. C. Lefebvre, as Trustee,
Mr. R. McCrea.

Lieutenant Andros, Lieutenant Gosselin, and Lieutenant Mansell.

Captain Slade, Commanding R. A.

Doctors Brock, Hoskins, Scott, and Le Mesurier.

Charles De Jersey, esq., His Majesty's Attorney-General.

Mr. R. Ozanne, Seneschal of the Manor of Saumarez.

The Reverend W. L. Davies, Principal of Elizabeth College.

The Bailiff, and Jurats of the Royal Court.

His Lordship's tradesmen :—

Messrs. John Chateau, sen., John Mollet, Michael Falla, William Randell,
Richard Dale, (Forest Lane.)

Two servants of Sir Thomas Saumarez.

The above were followed by a long train of gentlemen, natives and residents, who, of their own free will and accord, attended the cortège in order to manifest their respect for departed worth. Then came about fifty seamen and boatmen preceded by Captain N. W. Moullin, and Captain Le Page (of the *Horatio*), of the merchant service ;—the former had served as a midshipman with his Lordship in the *Orion*, and the latter as a seaman in the *Orion* and the *Crescent*,—they carried a Union Jack hoisted half staff high, to shew their respect for their late gallant commander.

About ten minutes before one o'clock the mortal remains of the illustrious deceased were carried into the C  tel church, and placed before the altar. The Reverend H. Durand, rector of the parish, ascended the reading desk and read the thirty-ninth and ninetyeth Psalms, together with the fifteenth chapter of the first Epistle to the Corinthians, after which the corpse was removed from the church and carried into the church-yard, when, after the performance of the burial service by the Rev. H. Durand, it was deposited in the family vault, there to await the final restoration of all things, when the earth and the sea shall give up their dead and every thing that is in them. The close of the funeral was in perfect keeping with the commencement—the company retiring to their respective homes after the obsequies was over.

By order of his Excellency Major-General Ross, our worthy Lieutenant Governor, minute guns were fired from Castle Cornet from twelve till a quarter to one o'clock, and from Fort George from a quarter to one till the close of the ceremony. The regret for the loss of such a distinguished character was evinced by all classes of society, and that very deservedly. Nearly all the shops in town were closed during the day, in order to manifest the estimation in which they held the memory of his Lordship. We suppose, upon a fair calculation, that about one thousand persons were present in the church-yard, when his Lordship was buried.

The head of the clergy in this island ordered the bells to be muffled and tolled in all the parish churches during the continuance of the funeral.

ADDENDA.

Captain Philip and Captain Thomas de Saumarez, the uncles of his lordship, were in the expedition to the South Seas, under the orders of Lord Anson. The former was made captain of the *Galleon*, and afterwards commanded the *Nottingham*, of sixty guns, subsequently to which he captured the *Mars*, of sixty-four guns, in a single action : he distinguished himself in every service on which he was employed, and was reported one of the best officers in his Majesty's navy. Captain Thomas Saumarez was nominated commander of the *Antelope*, of fifty guns, and was stationed at Bristol, when information was conveyed to him that a French sixty-four was in the Bristol channel. He immediately slipped his cable, and went in quest of her. On the ensuing morning, both ships met. The French bore down on the *Antelope*, and, on receiving a few shot, struck her colours, and proved to be the *Belliqueux*, of sixty-four guns. She was one of the ships that had made their escape from Quebec, and had got into the Bristol channel by

mistake. When the French captain came on board the *Antelope*, he exclaimed that he had been driven into that situation by stress of weather, and hoped the loyalty of the English captain would either furnish him with the means of getting out, or of returning on board his ship, in order to fight the *Antelope*. Captain Saumarez, however, deemed it more prudent to return to Bristol with his prize.

In Rodney's action, the *Russell* gave the huge *Ville de Paris* two raking broadsides, and Count de Grasse acknowledged to Captain Saumarez, some days after the action, that he suffered very severely from his fire. At the close of this well contested day, the gallant commander of the *Russell* was in chase of a crippled ship, a seventy-four, that was making off under a crowd of sail, and would have been engaged in twenty minutes, had not his victorious career been checked by a signal for the fleet to bring to, the commander-in-chief judging it prudent to secure the ships that were the trophies of so hard-earned a victory. Whatever reluctance Captain Saumarez might feel in relinquishing the opportunity of adding another laurel to those which he had gained on this arduous day, a sense of duty prevented a moment's hesitation: the *Russell*, however, who, by her station in the line was one of the first in action, so, from the zeal of her commander, she was one of the last that hove to.

Nothing can indicate more strongly the high opinion Lord St. Vincent had already formed of Sir James's abilities, than the confidence he reposed in him. During the absence of Sir Horatio Nelson, Sir James Saumarez was entrusted with the command of the inner squadron, consisting of five sail of the line that were anchored within a short distance from the mouth of the harbour of Cadiz, to watch the motions of, and annoy, the enemy. It was owing to signals from the *Orion*, that Captain Martin, of the *Irresistible*, (one of Sir James's squadron,) was induced to pursue and capture the *Nimfa* and *Elena*, two Spanish frigates, of thirty-six guns each.

As a proof of the moral influence exercised by Lord de Saumarez over his crews, it may be remarked that, when the mutiny of the *Nore* broke, the *Orion* escaped it altogether, owing to the subordination of the men and the attachment which they felt for their worthy commander, with whom the greatest part had served from the commencement of the war. It was from a knowledge of that loyalty of spirit in which he confided, that he consented to receive, in hope to reform, one of the worst of the mutineers, a most excellent seaman and ship-carpenter, who was to be tried for his life. The reasonable admonition of Sir James, and his paternal attention to the man's feelings, plainly worked so thorough a change that, from the most obdurate of rebels, he became one of the most faithful of his sailors. A few days after he got on board, the signal was made for the boats of each ship to be manned and armed to witness the execution of four mutineers on board of one of the mutinous ships. This was the last effort employed to work a full conversion in this man. Sir James sent for him into his cabin, and after expostulating with him on the heinousness of the crime which it was notoriously known he had committed, he assured him that he would save him the anguish he must endure of beholding his companions in guilt suffer for a crime of which he had probably been the guilty cause. This exhortation had the desired effect. His rebellious spirit was subdued: he fell upon his knees, bathed in tears, expressing the strongest protestations of loyalty to his king, and attachment to his humane commander. The man was true to his word, and his exertions were commensurate to his promises. He was captain of a gun at the battle of the Nile, where he greatly distinguished himself, and was very instrumental after the action in preserving the "*Peuple Souverain*" from foundering. On account of his known intrepidity as a seaman and ability as a carpenter, he was slung for several days over the

side, employed in watching the rollings of the ship, and stopping the shot holes under water.

The bay of Algeiras was defended by various batteries of heavy guns placed on an island about a quarter of a mile from the shore, and also by works to the north and south of the town, the fire from which, crossing before the harbour, intersected in front the situation chosen for the French ships, and was enabled to take in flank any assailant that might approach them. The anchorage was also extremely dangerous, the whole harbour and island being surrounded by reefs of sunken rocks: it had, hitherto, been supposed that, had there not been even a single man-of-war in the harbour, no hostile ship would have had the boldness to approach, or expose itself to the dangerous obstructions which both nature and art had provided for the security of the place, and of the ships which it contained; but no danger could appal or discourage our intrepid tars and the gallant Saumarez, when an enemy was within their reach.

As the exertions that were made on board the squadron in general, and the *Cæsar* in particular, have been considered the most extraordinary in the history of naval affairs, and a lasting standard for imitation, it may be proper to detail the damages she repaired from the evening of the 6th, when she went into the Mole, to the noon of the 12th, when she sailed for the purpose of fighting the enemy. In that short space of time she shifted her main-mast, fished and secured her fore-mast shot through in several places, knotted and spliced the rigging cut to pieces, and bent new sails, plugged the shot holes between wind and water, and completed stores of all kinds, anchors and cables, powder and shot, and provision for four months.

Such was the ardour manifested by all, that, as soon as it was known on shore that the squadron were to pursue the enemy, a boat came off to the *Cæsar* with several wounded men, who, on hearing that the ship was warping out of the Mole, escaped from the hospital, and forgetting their recent sufferings, determined, if possible, to share in the new danger that awaited their shipmates. They were received on board, and went to quarters.

The following piece of Poetry appeared in one of the London Magazines for September, 1801.

STANZAS

ON THE LATE VICTORY OF ADMIRAL SIR JAMES SAUMAREZ.

AGAIN triumphant harps resound !
See westward from the Straits the flying sails !
With coward haste they sweep the green profound,
And Spain her port inglorious hails !
Nor Gaul escapes—proud-hearted swol'n Gaul,
Whose threats imperious menace England's
Lifts up his giant voice to call [coast,
Allanc'd shame to fight, and mourns his
recent boast.

Was it for this, insulting foe,
Thou bad'st the world thy valour gaze,
When snatched by chance from utter woe,
Thy vaunting glory spread its blaze ?
And Victory ! and Victory !
Was France's universal cry !
Tear from thy front the withered wreath,
The waves to British valour yield,
Nor let one idle whispering breath
Tell where great LINOIS lies concealed.

VICTORIOUS SAUMAREZ ! for thee
We wake the strings to songs of praise ;
Beneath this huge o'er-shadowing tree,
Oft have been heard the poet's lays.

Haply from this majestic oak,
Whose trunk the northern storm defies,
The rended honours shall provoke
Some nymph whose lineage claims the skies.
But, gentle Hamadryad, spare
The wreaths assigned by Britain's vow,—
He, whom united navies fear,
Shall gird thy foliage round his honoured brow.
Him shall an after age admire !
His fame the British youth inspire
With British emulation.
So be our England ever seen,
What now she is, and still has been,
The great heroic nation.
Strike the loud harp ! the notes prolong !
These deeds to heavenly strains belong.
Strike the loud harp ! rejoice ! rejoice !
And while from yon despotic lands
The savage threats are hurled, our voice
In rapturous freedom greets the bands,
Who called to meet invasion's host,
Not backward tread their native coast !
Who swear to die in freedom's cause,
For England's king, and England's laws !

THE
GUERNSEY & JERSEY MAGAZINE.

DECEMBER, 1836.

ON THE FUNDS FOR PUBLIC INSTRUCTION.

It is the policy and duty of every government to provide for the national education of the people, and train up the youth of the country in the principles of morality and religion. To effect this object, it is necessary that a distinct order of men should devote their whole time and study to the purposes of public instruction, and, as "the labourer is worthy of his hire," it is essential that some fund should exist to secure them a maintenance, and an adequate remuneration for their services. To accomplish this end, tithes were originally instituted, when the clergy were the instructors both of youths and adults, as well as the dispensers of parochial relief. It is not the design of this article to institute any comparison between the compulsory and voluntary principles, for that would lead us to the threshold of controversial divinity, on which subject this Magazine will ever observe a profound silence. Our present object will be, to give a succinct historical account of the funds for public instruction,—their origin,—the changes they have undergone,—and their present condition: and, afterwards, to offer some remarks on their future prospects; the whole having reference to the duties and privileges of the clergy, as public instructors only, leaving entirely out of view the character and quality of the matter they may teach.

The clergy are indebted to the Emperor Charlemagne for the institution of tithes; but the manner in which they are at present distributed, differs most materially from the original form of appropriation. Charlemagne divided the tithes into four portions: he gave one fourth to the bishop of the diocese, one fourth for the repair of the churches, one fourth for the maintenance of the poor, and the remaining quarter to the officiating priest.* According to the learned Selden, tithes were intro-

* *Esprit des Loix*, tome 3, p. 151, liv. 31, c. 12.

duced into England in the year 786, subject to the same mode of distribution. Under these circumstances, it is clear that tithe was a substitute for the modern poor rate and the modern church rate.

In the progress of time, various donations were given to the bishoprics, that masses might be performed for the souls of the dead, when the doctrine of purgatory was an article of religious belief. The episcopal sees thus became so richly endowed, that the bishops were no longer allowed to receive their ancient quarter of the tithe, which then was divided into three proportions. At this early period of our history, monasteries and abbeys were in a flourishing condition, and, as the monks used every exertion to increase the wealth and power of their order, they took care to vest in their institutions the quarter of the tithe originally received by the bishop; and this they effected by the following device. Each monastery or abbey was deemed to be an ecclesiastical corporation, to which was attached, as a dependency, every advowson on which they could put their hands. When they had got possession of a church, they nominated an officiating priest, and paid him what salary they pleased, appropriating to their own use all the surplus of the tithe, but still upholding the fabric of the church, and maintaining the poor. This is the remote origin of what is now called *appropriated* or *impropriated* tithes, on which Sir Henry Spelman, in his treatise on tithes, c. 29, says "these are now called impropriations, as being *improperly* in the hands of laymen."

This system of appropriating the revenues of church livings to bodies corporate was carried to such an extent that, when the reformation took place, one third of all the parishes in England were annexed either to bishoprics, prebendaries, monasteries, abbeys, nunneries, or certain military orders, all of which were spiritual corporations. At the dissolution of monasteries in the reign of Henry the Eighth, the appropriations of the several parsonages which belonged to these ecclesiastical institutions would have been severed or disappropriated by the rules of the common law of the realm; but the king and his advisers prevented this result; for a clause was inserted in the act of parliament, which gave them to his Majesty, in as ample a manner as the abbots and priors formerly held them, up to the time of their dissolution. The character of Henry the Eighth is too well known, to require us to dwell upon it in this place; he was the Sardanapalus of English sensuality; and he rewarded a servile and unprincipled peerage, as the price of countenancing his murders and adulteries, with the confiscated plunder of the church. He gave them abbeys and priories, with the lands attached to them, and the advowsons and church livings of which their descendants are the patrons. The appropriation of tithe now assumed a new form; for, as in former periods, the surplus revenue found its way

into the coffers of the ecclesiastical corporations, so it now was pocketed by laymen, who were called *impropriators*, for the reason assigned by Sir Henry Spelman. Nor was this all; for the reforming recipients of tithe, neither maintained the poor, nor repaired the churches, as the abbots and priors had done.

But to show the extent of spoliation committed, at this epoch, on the funds of public instruction, we must trace back our steps to an anterior date. When the appropriating corporations were first established, the clergy were classed under two denominations, the *regular* and the *secular*. The monks who lived *secundum regulas*, according to the rules or regulations of their respective orders, were called the regular clergy, to distinguish them from the local officiating ministers, or parochial clergy, who discharged their duties *in seculo*, in the world, and thence they received the name of secular clergy. A secular clergyman thus became a curate, deputy, representative, or vicegerent of the appropriator, and was therefore styled *vicarius*, or vicar, being dependent on the *rector*, or ruler, and this rector might either be an individual, or a body corporate. The stipend of the vicar was a matter of agreement between him and the appropriator, who was however bound, in all cases, to find somebody to officiate, the rule being that the vicar should account to the appropriator for the temporalities of his living, and to the bishop for the spiritualities. "But this was done in so scandalous a manner," says Blackstone, "and the parishes suffered so much by the neglect of the appropriators, that the legislature was forced to interpose; and, accordingly, it was enacted, by statute 15 Rich. II., c. 6, that in all appropriations of churches, the diocesan bishop shall ordain (in proportion to the value of the church) a competent sum to be distributed among the *poor parishioners* annually; and that the vicarage shall be *sufficiently* endowed." It seems the parishes were frequently sufferers, not only by the want of divine service, but also by withholding those alms for which, among other purposes, *the payment of tithes was originally imposed*; and therefore in this act a pension is directed to be distributed among the poor parochians, as well as a sufficient stipend to the vicar. But he, being liable to be removed at the pleasure of the appropriator, was not likely to insist too rigidly on the legal sufficiency of the stipend, and therefore by statute 4 Hen. IV. c. 12, it is ordained, that the vicar shall be a secular person, not a member of any religious house; that he shall be vicar perpetual, not removeable at the caprice of the monastery; and that he shall be canonically instituted and inducted, and be sufficiently endowed, at the discretion of the ordinary, for these three express purposes, "*to do divine service, to inform the people, and to keep hospitality.*"*

* Commentaries, vol. 1, p. 387.

Now, bearing these historical facts in mind, the reader is requested to compare the original distribution of tithes, as ordered by Charlemagne, with the mode in which they are at present distributed. With one single exception, to wit, the payment of the clergyman, this fund has been wrested from its legitimate purposes; for, neither are the churches repaired, nor the poor maintained, nor the ignorant instructed, nor hospitality bestowed, out of the proceeds of tithe; independently of all which usurpations, more than one third of the aggregate amount of tithes is received by laymen, and thus are the body of public instructors robbed of their inheritance by an aristocracy, who most impudently call themselves the friends of that church whose revenues they have appropriated to their own use. Let the public be assured, that whenever Lord Stanley declares that "the church is in danger," he simply means to say that the impropriated tithes, now enjoyed by laymen, might be restored to the church, their rightful owner, if a reform in ecclesiastical affairs took place; in which case the illustrious House of Derby would be reduced to a state of comparative pauperism.

By this system of wholesale plunder, which transferred the capital of the poor and the incomes of the public instructors into the pockets of the peers and the squirearchy, it became necessary, in the reign of Elizabeth, to establish a poor law for the relief of the indigent and the necessitous; and, in the reign of Queen Anne, the provision for the officiating clergy became so reduced in value in many parishes, that she made an attempt to augment the value of poor benefices, by enacting a statute, commonly called Queen Anne's Bounty. We shall now proceed to give an account of the origin and intention of that excellent fund, and of the disgraceful finesse by which the wishes of Anne and her ministers have been hitherto frustrated.

When the pope exercised a spiritual jurisdiction over England, he demanded, among other exactions, the first year's profits of all spiritual preferments. This branch of ecclesiastical revenue was called, "The First Fruits." When England embraced the reformed opinions, this revenue was annexed to the crown, Henry the Eighth being declared head of the church, and succeeding, in that capacity, to all the emoluments and prerogatives of his predecessor. This financial operation was effected by statute 26 Hen. VIII. c. 3, and confirmed by statute 1 Eliz. c. 4. Commissioners were appointed in every diocese to certify the value of every ecclesiastical benefice; and, according to that valuation, the first fruits were to be collected for the future. This valuation, *valor beneficiorum*, is known among us by the name of the "king's books." The first fruits continued part of the royal revenue from the reign of Henry the Eighth to that of Anne. "At length," says Blackstone, "the piety of that princess restored to the church, what had

thus been indirectly taken from it. This she did, not by remitting the first fruits entirely; but, in a spirit of the truest equity, by applying these superfluities of the larger benefices to make up the deficiencies of the poorer. And to this end she granted her royal charter, which was confirmed by 2 Anne, c. 11, whereby all the revenue of first fruits is vested in trustees for ever, to form a perpetual fund for the augmentation of poor livings.* To this passage in the Commentaries, Mr. Christian has added the following note: "Though this was a splendid instance of royal munificence, yet its operation is slow and inconsiderable; for the number of livings certified to be under fifty pounds per annum (to which alone the bounty was applicable) was no less than 5,597, of which 2,558 did not exceed twenty pounds per annum each, and 1,933 were between thirty and fifty pounds per annum, while the remainder were between twenty and thirty pounds per annum; so there were 5,597 benefices in this country, which had less than twenty-three pounds per annum each, upon an average. Dr. Burn calculates, that from the fund alone it would require three hundred and thirty-nine years, from the year 1714, when it commenced, before all the livings can be raised to fifty pounds per annum."

When Mr. Christian published the edition of the Commentaries from which we have quoted, nearly a century had elapsed since the statute of Anne had been passed; yet the 5,597 livings had, on the average, only been augmented nine pounds per annum each! It is clear, therefore, that the scheme adopted by queen Anne and her ministers has proved inoperative, and that it does not hold out any prospect of affording any effectual assistance to the minor benefices. If the abilities of the statesmen who framed queen Anne's bounty were estimated by the practical effects of this statute, neither their prudence nor foresight would appear worthy of commendation. But Godolphin and Somers were men of wisdom and experience, and it cannot be supposed for a moment that they would, hastily, and without mature consideration, have devised a measure, which time has shown to be frivolous and unavailing. How then are we to account for the failure of the scheme, unless we attribute it to want of knowledge and foresight in the projectors! We answer that the plan is in itself excellent, and would have produced most beneficial results, if the intention of the legislature had not been frustrated by the unworthy evasion of the clergy themselves. This is a serious charge, but one that is easily substantiated.

It has already been observed, that the value of all ecclesiastical benefices is rated according to the sum affixed against each in the king's books, as settled in the reign of Henry the Eighth. If a clergyman, on taking possession of his living, pays, as first fruits to the fund, a

* Commentaries, vol. 1, p. 28.

sum of money equivalent to the value as settled in the king's books, he satisfies the *letter* of the statute. But does he by such payment satisfy the *equity* of the statute? Does he do that which queen Anne and her ministers expected would have been done? Certainly not. It frequently happens that benefices, rated in the king's books at a few pounds per annum, produce, at the present period, many hundreds, or thousands, per annum. Justice and common sense require the payment of the improved value; but the law only compels the payment of the original sum, and thus the intentions of those who founded the bounty are frustrated. Mr. Christign justly remarks, that if the old system were abandoned, and a new scale substituted in its stead, an effect would be produced in twenty years, which, by the existing mode of computation, will require three centuries.

The subject of ecclesiastical revenue has of late years excited very considerable attention: but it must be confessed that, in the discussion of it, the most exaggerated statements of the aggregate of church property have been presented to the public. In some cases, these erroneous and deceptive valuations have proceeded from intentional fraud; in others, from defective information. But they have had the effect of stimulating curiosity, and causing more laborious research; and the general opinion seems now to be, that the total amount of church property does not exceed an adequate remuneration to the clergy, *as a body of public instructors*, though the distribution of the aggregate revenue among the various ministers is marked by the grossest inequality and injustice. In the fifty-eighth number of the Quarterly Review, there appeared a long and laboured article on this subject. The second number of the Westminster Review contained a reply. The Quarterly calculated the number of benefices in England and Wales at 11,342, and fixed their aggregate annual value at £3,447,138. The Westminster considered this value below the mark, and the writer says, "that if he were to allot five millions as the sum exacted as tithe, he would probably be open to censure for undervaluing the amount." But let us assume that the computation of the Quarterly is correct. Now, according to the statement of Mr. Christian, quoted above, there are in England and Wales 5,597 benefices, (constituting one half of the whole number,) the average incomes of which did not, in 1809, exceed thirty-two pounds per annum. If then we multiply 5,597 by 32, the product will be the sum of money annually divided among one half of the incumbents in England and Wales. This amounts to £179,104. Consequently, if we subtract this aggregate of the stipends of the *working* clergy from £3,447,138, (which according to the Quarterly is the sum total of all the ecclesiastical revenue,) the difference will show what is enjoyed by the aristocratic section of the clergy. This will be

found to be £3,226,304; from which it follows that, while one half of the clergy are starving on thirty-two pounds per annum each, the other half are enjoying every comfort on nearly six hundred pounds per annum each: so that the difference of remuneration is in the ratio of twenty to one. If the estimate of the Westminster Review, five millions, be correct, the disparity would be largely increased.

Before concluding this branch of the subject, we wish briefly to notice the *inequality of labour*. The desire of possessing the profits of a benefice, without discharging the duties annexed to it, is not a passion of modern growth. The subject of non-residence attracted the attention of the legislature at an early period. By statute 21 Henry VIII, c. 13, persons wilfully absenting themselves from their benefices for one month together, or two months in the year, incur a penalty of five pounds to the king, and five pounds to any person who will sue for the same; except chaplains to the king, or others therein mentioned, during their attendance in the household of such as retain them; and also except all heads of houses, magistrates, and professors in the universities, and all students under forty years of age residing there *bond fide* for study. The law respecting residence continued in this state till the 43 Geo. III, c. 84, the provisions of which are too extensive to be here detailed. But that they afford very feeble securities against the negligence of the incumbents, the following short statement will demonstrate. It is extracted from the returns respecting non-residence, for the years 1809, 1810, 1811, printed by order of the house of commons.

Years.	Incumbents.	Residents.	Non-Residents.
1809	11,194	3,896	7,358
1810	10,080	4,490	6,311
1811	10,261	4,421	5,840

From this official document, of the perfect accuracy of which not the slightest doubt can be entertained, one of these two results must obviously follow. Either, the churches, during the time of non-residence, were not served at all, or the duty must have been performed by curates. On the first supposition, the incumbents ought to have forfeited their preferments; on the second, we have a striking instance of the *inequality of labour*.

This brief account of the history of tithes abundantly proves that the funds of public instruction have not only, to a large extent, been plundered by the laity, but that the remainder has been grossly mismanaged. We see that the clergy are so insufficiently provided for, that, far from having the means of teaching the poor, and affording hospitality, one half of them are not so well paid as a journeyman mechanic. We have shown that lands and revenues, bequeathed by the piety of our ancestors for religious uses, are now in the possession of lords and squires; and,

moreover, that the aristocratic portion of the clergy, by evading the equity of queen Anne's statute, do their utmost to diminish the funds of the church. If then national education has been neglected, the fault does not lie at the door of the public instructors; but the blame attaches to government, who encourage the building of barracks and prisons, and withhold all efficient aid from the erecting of schools. Two simple remedies would go far to correct these evils; first, the restitution of all impropriated tithes to the public instructors; secondly, the equitable construction of the statute of Anne.

The conservatives profess to be the only sincere friends of the church, and are constantly denouncing the reformers, as meditating schemes for its spoliation. Now, in order to bring the tory faction to the test of sincerity, we ask them one plain question: Will the lords and squires of their party restore to the church the impropriated tithes of which they are now the recipients? Will Lord Winchelsea or the Duke of Newcastle, who are so fond of uttering silly speeches and printing unreadable pamphlets, in which they claim for themselves a monopoly of zeal for the establishment, will these noble lords introduce such a measure in the house of peers? Quite certain we are that they would not, as such a plan would pauperize many scores of the order to which they belong. To what then are we to ascribe these displays of orthodoxy, these exhibitions of piety, this ostentatious parade of dying in defence of the establishment? Why, simply to avarice under the mask of hypocrisy.

We have already shown that when the monasteries were dissolved, Henry the Eighth took into his possession the whole of their revenues, and that the property so acquired comprehended one-third of the parishes in England: and that this important historical fact may not be doubted, (which it might fairly be, if it rested merely on our assertion,) the reader is referred to the authority of the learned Selden, in the ninth chapter of his "Review of Tithe," to "Spelman's Apology," page 35, and to the eleventh chapter of the first book of the "Commentaries." The king divided this ecclesiastical spoil among his minions, after the same fashion in which William the Conqueror parcelled out the land among his military chieftains; their descendants hold this portion of the ancient inheritance of the church to the present hour, and tithes are now sold at the auction mart from layman to layman with the same facility as any other commodity. When the conservatives, therefore, insist on the sacredness of tithe, it is clear that they mean to include their own one-third, with the remaining two-thirds that are still left to the church; and until they come forward with an offer to restore all the impropriated tithe, they can never free themselves from the charge of selfishness and insincerity.

In reference to the mode of assessing queen Anne's bounty, that is a

question to be settled by the clergy themselves. However much we may lament the poverty of the small livings, still we are bound to withhold any pecuniary aid for their augmentation, when it is clear that the church itself has the means of increasing its general revenue.

In a former number of this Magazine, we explained our views of radicalism in its pure and unperverted sense, and showed that its doctrines and principles alone deserved the title of "conservative." Now, in reference to tithe, *as the fund of public instruction*, we would maintain it inviolate. We are not arguing the question in favour of the established church, or against it; nor do we mix up with the question any of the views of any denomination of Christians. But we affirm, that it is a property specially chargeable with certain defined obligations, and, for the sake of brevity, we comprehend all these varied obligations under the general phrase "public instruction." We do not, however, put tithe on the same footing as a landed estate, though many writers consider it in that light: but we apprehend that there is a most material distinction. The owner of a landed estate may, if he pleases, allow all his fields to run to weeds, for his possession is absolute and unconditional: but this is not the case with tithe, as a property, for the recipient is bound to discharge duties in consideration of payment. If a layman were sole proprietor of every acre in a parish, and chose to leave the whole estate uncultivated, he certainly has a legal right to do so: and in that case, there would be no tithe. But wherever tithe is levied, then the law raises an obligation on the receiver to perform certain duties, in default of which his right is estopped. The difference, therefore, between these two descriptions of property is obvious.

The conditions on which the church are entitled to tithe are these: to perform divine service; to instruct the people; to bestow charity on the poor, and keep the sacred edifices in repair. We would, therefore, compel the church to perform these obligations to the letter: but, at the same time, justice requires that the whole of the impropriated tithe, now in the hands of laymen, should be restored to the rightful possessors. It is vain to say that this restitution is barred by the lapse of time, for we deny that any statute of limitations can justify a notorious robbery, and the united voice of history loudly and indignantly declares that the funds of public instruction have been forcibly wrested from their legitimate destination. Indeed, if full justice were rendered, all the families who have tortiously received impropriated tithe, since the reign of Henry the Eighth, ought to refund, with interest, every shilling they have received.

In the present state of political parties, a most important service would be rendered to the friends of reform, if some independent member of parliament would move for a return of the amount of impropriated tithe

now paid, with the names of the recipients. The publication of such an official document would effectually unmask the hypocrisy which is at present practised. The public would then see the real motives of those who resist any change in the existing ecclesiastical institutions, and who, under the sanctimonious plea of being the friends of religion and order, withhold from the church its just dues. The public would also understand the reasons which induce the conservative party to resist any reform in Ireland, from which hundreds of thousands of pounds are annually drawn in the shape of impropriated tithes.

We consider that every friend to public instruction is bound to preserve and augment the funds for national education, as bequeathed by our ancestors, and guaranteed by the law. The great work of raising the moral standard of the people can only be accomplished by the dissemination of knowledge, and the mental discipline of youth; and, therefore, an order of men must be set apart to carry this object into effect. So long as the national teachers are inadequately remunerated, they are open to bribes, and may be induced to give a wrong direction to the public mind; but if they were placed in a position of honourable competency, and rendered independent of the smiles or frowns of the titled and the rich, they would have every motive faithfully to discharge their trust, and range themselves on the side of the democracy. No speculative opinions on religion ought to disunite reformers on this subject: let them not grudge the salary of those who are appointed to educate the children of the people, but rather make them somewhat more than independent. Having thus done justice to them, the nation can call them to account for every dereliction of duty; and pluralities and non-residence would cease to exist. The public instructors would then occupy their true station in society, standing between the patrician and the plebeian; checking the insolence of the one, and repressing the insubordination of the other. Then might we hope to see realized the beautiful portrait which Goldsmith has drawn of a sincere and conscientious village pastor:

Unskilful he to fawn, or seek for power,
By doctrines fashioned to the varying hour:
Far other aims his heart had learned to prize,
More bent to raise the wretched, than to rise.
His house was known to all the vagrant train,
He chid their wanderings, but relieved their pain.

Thus to relieve the wretched was his pride,
And e'en his failings leaned to virtue's side.
But in his duty, prompt at every call,
He watched, he wept, he prayed, he felt for all;
And as a bird each fond endearment tries,
To tempt its new fledged offspring to the skies,
He tried each art, reprov'd each dull delay.
Allured to brighter worlds, and led the way.

TO AN INFANT.

THINE eyes of infant eloquence are closed in slumbers light,
Like moon-lit marble rest thy limbs most exquisitely bright;
Thy mother's voice is lulling thee, thy cheek of beauty glows—
Thus summer breezes whisper o'er the bud-escaping rose.

Sleep on or wake, my little one, enjoy life's sweetest hours,
Such hours as passed in innocence 'mongst Eden's heavenly bowers;
Thy little heart breathes not a hope which earthly woes can blight—
'Tis like the starry diamond's rays which shine through day and night.

Thy life's a young creation now o'erflowed with lovely spring,
Thy smiling dreams are little joys that sport on rosy wing;
A mother's heart's thy world below, her countenance thy sky—
Her sheltering arms thy dwelling place, thy heavenly orbs her eye.

—O halcyon days of infancy, pure, nectar-cup of life,
All unembittered by the gall of wretchedness and strife!
Ye seem the foretaste of the life enjoyed by those above,
Where all is bliss ineffable, and changeless, sinless love.

Yes—slumber on unheedingly, like visions are thy fears,
Thy smiles, like flowers o'ergemmed with dew, shall beautify thy tears;
The blessed in Heaven, the good on earth, shall be thy guardian powers,
And scatter o'er thy future path contentment's modest flowers.

Thy tiny skiff has gaily dared the tranquil stream that leads
To chequered life's uncertain sea through ever-smiling meads;
No rocks impede the rapid keel that cleaves the pearly spray,
Whilst Heaven emits its golden beams and pours them o'er thy way.

Glide on, my happy voyager, unruffled flows the stream,
Bright angel-forms are watching thee in thy young being's dream;
And as the crystal stream reflects the sun-illuminated sky,
So is the guileless soul expressed in thy refulgent eye.

And when thou leav'st thy airy skiff to dare the billowy sea,
O may thy destined ocean-bark a gallant vessel be:
May favoring gales and stormless skies attend thee to the clime
Where reigns divine eternity triumphant over time.

Then sleep or wake, my little one, enjoy life's sweetest hours,
Such hours as passed in innocence 'mongst Eden's heavenly bowers;
Thy little heart breathes not a hope which earthly woes can blight,
'Tis like the diamond's starry play which shines through day and night.

J. D. PIERCEY.

THE PRINCESS TARRAKANOFF.

THE empress Elizabeth of Russia had three children by her clandestine marriage with the grand-veneur Alexis Gregorievitch Razumoffsky. The youngest of these children was a girl, brought up under the name of Princess Tarrakanoff. Prince Radzivil, informed of this secret, and irritated at Catharine's trampling under foot the rights of the Poles, conceived that the daughter of Elizabeth would furnish him with signal means of revenge. He thought that it would not be in vain if he opposed to the sovereign, whose armies were spreading desolation over his unhappy country, a rival whose mother's name would render her dear to the Russians. Perhaps ambition might have suggested to him still loftier hopes. He might even have flattered himself with being one

day enabled to mount the throne on which he intended to place the young Tarrakanoff. However this may be, he gained over the persons to whom the education of this princess was committed, carried her off, and conveyed her to Rome in the year 1787, she then being twelve years of age.

Catharine, the reigning empress, having received intelligence of this transaction, took immediate steps to frustrate the designs of Prince Radzivil. Taking advantage of the circumstance of his being the chief of the malcontents, she caused all his estates to be seized, and reduced him to the necessity of living on the produce of the diamonds and the other valuable effects which he had carried into Italy. These supplies were soon exhausted. Radzivil set out in order to pick up what intelligence he could concerning affairs in Poland, leaving the young Tarrakanoff at Rome, under the care of a single governess, and in circumstances extremely straitened. Scarcely had he reached his own country, when an offer was made to restore to him his possessions, on condition that he would take his young ward to Russia. He refused to accept so disgraceful a proposal; but he had the weakness to promise that he would give himself no further concern for the daughter of Elizabeth. This was the price of his pardon.

Alexius Orloff, charged with the execution of the will of the empress, seized the first moment, on his arrival at Leghorn, of laying a snare for the Princess Tarrakanoff. One of those intriguers who used to be so common in Italy, repaired immediately to Rome; and, after having discovered the lodging of the young Russian, he introduced himself to her in a military dress, and under the name of an officer.* He told her that he had been brought thither by the sole desire of paying homage to a princess whose fate and fortunes were highly interesting to all her countrymen. He seemed very much affected at the state of destitution in which he found her. He offered her some assistance, which necessity forced her to accept; and the traitor soon appeared to this unfortunate lady, as well as to the woman who waited on her, in the light of a saviour whom heaven had sent for their deliverance.

When he thought that he had sufficiently gained her confidence, he declared that he was commissioned by Count Alexius Orloff, to offer to the daughter of Elizabeth the throne that had been filled by her mother. He said that the Russians were discontented with Catharine; that Orloff, especially, could never forgive her for her ingratitude and tyranny; and that, if the young princess would accept the services of that general, and recompense him by the grant of her hand, it would not be long ere she saw the breaking out of the revolution he had prepared.

Proposals so surpassingly brilliant ought, perhaps, to have opened the eyes of the Princess Tarrakanoff, and shewn the treachery of him that made them. But her inexperience and her candour permitted her not to expect any guile. Besides, the language of the emissary of Alexius Orloff seemed analogous to the notions she had imbibed from prince Radzivil. She imagined herself destined to the throne; and all the airy dreams that related to that opinion could not but encourage the deceit. She accordingly gave herself up to these flattering hopes, and, with a grateful heart, concurred in the designs of him who was plotting her destruction.

* He was a Neapolitan, named Ribas. He afterwards went to Russia, where he married Anastasia, a reputed daughter of M. de Betakoi, and, at a later date, was made knight of Malta, and promoted to the rank of Vice-Admiral of the Black Sea.

Shortly afterwards, Alexius Orloff came to Rome. His emissary had already announced him. He was received as a benefactor. However, some persons to whom the princess and the governess had communicated the good fortune that awaited them, advised them to be on their guard against the offers of a man whose character for wickedness had long been established, and who, doubtlessly, had too much reason to remain faithful to the empress to think of conspiring against her. Far from profiting by this good counsel, the princess was so imprudently frank as to speak of it to Alexius Orloff, who, with great ease, delivered his justification, and thenceforward threw a deeper shade of dissimulation and address into his speeches and behaviour. Not satisfied with fanning the ambition of the young Russian, he put on the semblance of a passion for her, and succeeded so far as to inspire her with a true one. So soon as he was assured of it, he conjured her to enter into an union with him by the most sacred ties. She unhappily consented ; and it was even with joy that this unfortunate and duped lady promised to solemnize a marriage, which consummated her ruin. She thought that the title of wife of Count Alexius Orloff would shelter her invincibly from those treacheries which she had been taught to apprehend. She entertained not the least suspicion that a man could make religion, and the most sacred titles, subservient to the destruction of an innocent victim. But, alas ! was any religion, was any title, sacred to the barbarian into whose snares she had fallen ? He who could strangle the unfortunate Peter the Third, could he dread to dishonour the daughter of Elizabeth ? *

Feigning a desire that the marriage ceremony should be performed according to the ritual of the Greek church, he suborned subaltern villains to disguise themselves as priests and lawyers. Thus profanation was combined with imposture against the unprotected and too confident Tarrakanoff.

When Alexius Orloff had thus become the husband, or rather the ravisher, of this unhappy princess, he represented to her that their stay at Rome exposed her to too close observation, and that it would be advisable for her to go to some other city in Italy, there to await the breaking out of the conspiracy which was to call her to the throne. Believing this advice to be dictated by affection and prudence, she answered that she would follow him wherever he chose to conduct her. He brought her immediately to Pisa, where he had previously hired a magnificent palace. There he continued to treat her with the most marked tenderness and respect ; but he permitted none to come near to her, except persons who were entirely at his devotion ; and when she went to the theatre, or the public promenades, he always accompanied her.

The division of the Russian squadron, under the command of Admiral Greig, had just entered the port of Leghorn. On relating this news to the princess, Orloff told her that his presence was necessary at Leghorn, for the purpose of giving some orders, and offered to take her along with him. To this she the more readily consented, as she had heard the beauty of that port highly praised, and the magnificence of the Russian ships extravagantly lauded. Imprudent lady ! the nearer she approached the catastrophe of the plot, the more she trusted to the tenderness and sincerity of her faithless betrayer.

She departed from Pisa with her customary attendance. On arriving

* The fate of the young Tarrakanoff may be compared to that of the daughter of Sejanus. *A carnifice laqueum juxta compressam.* Taciti, Ann. lib. 5.

at Leghorn, she landed at the house of the English consul, who had prepared for her a suitable apartment, and who received her with marks of the profoundest respect. Several ladies were early in making their visits, and sedulously attended her on all occasions. She saw herself presently surrounded by a numerous court, eager to anticipate all her desires, and seeming to make it their only study incessantly to procure her some new entertainment. Whenever she went out, the people ran in her way, to denote their respect. At the theatre, all eyes were directed to her box. Every circumstance combined to lull her into a fatal security, and tended to dispel the idea of approaching danger.

It is, without doubt, impossible to believe that an English consul, an English admiral, and ladies of their family and acquaintance, could be so base, so inhuman, as to draw into the snare, by deceitful respect, a victim whose youth, whose beauty, whose innocence, was capable of affecting the most insensible heart. It is not to be imagined that they were in any way privy to the plot contrived against her, or that they studiously inspired her with confidence, only the more infallibly to betray her.

The young Tarrakanoff was so far from suspecting her unfortunate situation, that, after having passed several days in a round of amusement and dissipation, she asked of herself to visit the Russian fleet. The idea was applauded by Orloff. The necessary orders were immediately given: and the next day, on rising from table, every thing was ready at the water-side for receiving the princess. On her coming down, she was handed into a boat decorated with magnificent awnings. The consul and several ladies seated themselves with her. A second boat conveyed Vice-admiral Greig, and Count Alexius Orloff; and a third, filled with Russian and English officers, closed the procession. The boats put off from shore in the presence of an immense multitude of persons, and were received by the fleet, with a band of music, salutes of artillery, and repeated huzzas. As the princess came alongside the ship on which she was to go on board, a splendid chair was let down from the yard, in which, being seated, she was hoisted upon deck; and, it was observed that these were particular honours paid to her rank.

But no sooner was she on board, than she was handcuffed. In vain she implored pity of the cruel betrayer, whom she still called her husband. In vain she threw herself at his feet, and watered them with her tears. Not even an answer was vouchsafed to her lamentations. She was rudely carried down into the hold; and the next morning the vessel sailed for Russia.

On arriving at Petersburg, the young victim was shut up in the fortress, and what became of her afterwards was never positively known. Some have affirmed that the waters of the Neva, six years afterwards, put an end to her misfortunes, by drowning her in the prison, in the inundation of 1777. On the 10th of September of that year, a wind, at S.S.W. raised the waters of the gulph of Finland, towards the Neva, with a violence so extraordinary, that it swelled that river to the height of ten feet above its level, and drove many vessels on shore. Others have surmised that the young Tarrakanoff fell in prison by the hands of the executioner. But the date of her death, and the mode in which it happened, are still involved in impenetrable mystery.

SIR FRANCIS WALSINGHAM.

SIR FRANCIS WALSINGHAM was born at Chiselhurst, in Kent, of a knightly family, originally sprung and denominated from the town of Walsingham, in Norfolk. He was bred at home under a private tutor, and received his university education in King's College, at Cambridge. From thence he was sent very young abroad to travel, for the improvement of his mind ; and, being a person of excellent sense and uncommon capacity, he made himself perfect master of the laws, customs, manners, language, and polity of the several nations he visited, as his subsequent practice fully showed. He had the happiness of being out of England in a kind of voluntary exile, during the cruel and persecuting reign of Mary, which exempted him from the troubles and dangers to which most gentlemen were then exposed. At his return home in the time of queen Elizabeth, being highly accomplished, possessing a quick apprehension with a solid judgment, and being accounted the best linguist of his age, he was soon observed by the great Sir William Cecil, and selected as a fit instrument to be one of his agents. Under him, Walsingham came to be employed in the chief affairs of state.

His first public appointment was an embassy to France, where he resided several years, in very troubled times, during the heat of the civil wars in that kingdom. In August, 1570, he was again sent there as ambassador, to treat of a marriage between queen Elizabeth and Francis, duke of Alençon, with other matters of the highest consequence ; and he continued at the court of France till April, 1573. He acquitted himself in that station with uncommon capacity, faithfulness, and diligence, sparing neither pains nor money to promote the queen's service to the utmost. Of the diplomatic genius of Walsingham, and the tact he displayed on this occasion, Lloyd thus writes in his *State Worthies* :

"His head was so strong, that he could look into the depth of men and business, and dive into the whirlpools of state. Dexterous he was in finding a secret, close in keeping it ; much he had got by study, more by travel ; which enlarged and actuated his thoughts. His conversation was insinuating and reserved. He saw through every man, and no man saw through him. His spirit was as public as his parts, and it was his first maxim : 'Knowledge is never too dear.' Yet as debonair, as he was prudent ; and as obliging to the softer predominant parts of the world, as he was serviceable to the more severe ; and no less dexterous to work upon humour, than to convince reason. He would say, he must observe the joints and flexures of affairs ; and so would do no more with a story than others with a long harangue. He always surprised business, and preferred motions in the heat of other diversions ; if he must debate at all, he would hear all ; and, with the advantages of the foregoing speeches, that either cautioned or confirmed his resolutions, he carried all before him in conclusion, without reply. This Spanish proverb was familiar with him, Tell a lie, and find a truth : and this also : Speak no more than you may fairly retreat from without danger, or fairly go through without opposition. Some are good only at some affairs in their own acquaintance ; Walsingham was ready every where, and could make a party in Rome as well as in London. He waited on men's souls with his eye, discerning their secret hearts through their transparent faces."

The judicious M. de Wicquefort observes, that Mr. Walsingham, who was employed in this negotiation, was one of the ablest men that England ever produced ; that the interest of the reformed religion, with which he

was charged, was a very delicate affair; and that he had to deal with Charles the Ninth of France, and his mother, the most suspicious and treacherous of princes; notwithstanding which he acquitted himself with great honour. To which justly deserved praise it can be no exception, that he did not suspect the perfidiousness of the court of France; for, being himself an honest man, he never could have imagined that so black a villainy would have entered the heart of a human being, as the atrocious massacre of St. Bartholomew, executed by order of the despicable Charles the Ninth. From Walsingham's letters it appears, that his expenses were so great at Paris, very probably in gaining intelligence, that, to use his own words, sometimes he had neither furniture, money, nor credit.

In order to keep the powerful, treacherous, and ambitious neighbours of the queen, his mistress, so well employed at home, as not to be able to cause any disquiet to England, he laid the foundation of the civil wars of France, and also of those in the low countries, which latter put a final stop to the vast designs of the house of Austria. In reference to that policy, he told the queen, on his return from his French embassy, "That she had no reason to fear the Spaniard, for, though he had a strong appetite and a good digestion, yet he had given him such a bone to pick, as would take him up twenty years at least, and break his teeth at last; so her Majesty had no more to do, but throw into the fire he had kindled some English fuel from time to time, to keep it burning."

In the beginning of the year 1573, he was appointed one of the principal secretaries of state, sworn a privy councillor, and knighted shortly afterwards. But, put into that place of great trust, he exerted himself in a very uncommon manner; for he absolutely devoted himself, his life, time, and estate, to the service of the queen and country; and, to compass his ends, he guided himself by such maxims as the following, recorded in Lloyd's State Worthies.

"He said that a habit of secrecy is policy and virtue. To him men's faces spoke as much as their tongues, and their countenances were indexes of their hearts. He would so beset men with questions, and draw them on, and pick it out of them by piece-meal, that they discovered themselves whether they answered, or were silent. He served himself of the factions at court, as the queen his mistress did, neither advancing the one, nor depressing the other; familiar with Cecil, allied to Leicester, and an oracle to Sussex. He could overthrow any matter by undertaking it, and move it so as it must fall. He never broke any business, but carried many; he could discourse any matter with that most opposed; so that they, in opposing, promoted it. His fetches and compass to his designed speech were things of great patience and use. So equable was this wise man, that his native place never saw him angry, the university never passionate, and the court never discomposed. Religion was, in his judgment, the interest of his country, and it was the delight of his soul; therefore, he maintained it as sincerely as he professed it; it had his head, his heart, and his purse. He laid the great foundation of the protestant constitution as to its policy, and the main plot against the popish, as to its ruin." Thus it was that Walsingham became one of the great engines of the state, high in the queen's favour, and a watchful servant over her interests. As long as he lived, her crown and life were preserved from daily attempts and conspiracies, chiefly by his vigilance and address. His constant method, for that purpose, was secrecy, patience, and the best intelligence

possible ; he is said to have maintained no fewer than fifty-three agents in foreign courts, and eighteen spies. By these means he undermined all the plots of the Catholic priests, Jesuits, and other private and public enemies of England. "He outdid the Jesuits," says Lloyd, "in their own bow, and overreached them in their own equivocations, and mental reservations ; never settling a lie, but warily drawing out and discovering the truth. So good was his intelligence, that he was, in fact, confessor to most of the papists before their death, as they had been to their brethren before their treasons. For two pistoles an order, he had all the private papers of Europe. Bellarmine read his lectures at Rome one month, and Reynolds had them to confute the next. Few letters escaped his hands, whose contents he could read, and not touch the seals. The queen of Scot's letters were all carried to him by her own servant, and decyphered by one Philips, and sealed again by one Gregory ; so that neither that queen nor her correspondents ever perceived the seal defaced, or the letters delayed, to her dying day. He had the wonderful art of weaving plots, in which busy people were so entangled that they could never escape, but were sometimes spared upon submission, and, on other occasions, hanged by way of example. He would cherish a plot some years together, admitting the conspirators to his own and the queen's presence, familiarly, but dogging them out watchfully ; his spies waited on some men every hour for three years ; and, lest they could not keep their own counsel, he dispatched them to foreign parts, taking in new servants."

Sir Robert Naunton, speaking of the general policy of Walsingham, observes : "It is inconceivable why he suffered Dr. Parry to play so long on the hook before he hoisted him up. That Parry, intending to kill the queen, made the way of his access by the betraying of others, and impeaching the priest of his own confederacy, and thereby had access to, and conference with, the queen, will not be the quære of the mystery ; for the secretary might have had his end of discovery on a future maturity of the treason. But that, after the queen knew Parry's intent, why she should then admit him to private discourse, and Walsingham to suffer it, considering the condition of all assailings, and permit him to go where and whither he listed, and only on the security of a dark sentinel set over him, was a piece of reach and hazard beyond apprehension."

Dr. Welwood gives a remarkable instance of Sir Francis's dexterity in employing and instructing his spies how to get him intelligence of the most secret affairs of princes.

"The court of Queen Elizabeth," says the doctor, "had reason to have an eye upon the king of Scots, as being the next heir to the crown, and who they knew was courted with all possible insinuations into the French interest. In order to fathom king James's intentions, there was one Wigmore sent to Scotland, who, pretending to be disobliged in England, fled thither for protection. Sir Francis Walsingham gave him ten sheets of paper of instructions, all writ with his own hand, so distinct and so digested, as a man of far inferior parts to Wigmore could hardly fail to be a master in his trade. In these papers he instructs him how to find out king James's natural temper ; his morals ; his religion ; his opinions on marriage ; his inclinations to Queen Elizabeth, to France, to Spain, to the Hollanders, and, in short, to all his neighbours. He likewise directs him how to behave himself before the king at table ; when hunting ; upon his receiving good or bad news ; at his going to bed ; and, indeed,

concerning all the public and private schemes of his life. Walsingham was not mistaken in this man; for, though there passed a correspondence between them, Wigmore lived in the greatest familiarity with king James for nine years together, without the least suspicion of his being a spy."

Sir Francis was sent on an embassy to the Netherlands in 1578, and in the year 1581, he went a third time as ambassador to France, to treat of a marriage between Queen Elizabeth and Francis, late duke of Alençon, now become duke of Anjou, upon his brother Henry the Third obtaining the royal dignity; and also to conclude a league, offensive and defensive, between both kingdoms. He resided in France from about the middle of July till the end of the year.

Upon the young king of Scotland's putting himself into the hands of James Stewart, earl of Arran, a person odious to the English court, our wise minister was dispatched by Queen Elizabeth, in 1583, to that inexperienced prince, to give him good advice, as successor to the crown of England, lest, through the influence of evil counsellors, he might attach himself to the French interest, and thus endanger the prosperity of both kingdoms. But, through the Earl of Arran's influence, the negotiations of Sir Francis were fruitless.

It may reasonably be supposed that a person of so much public spirit as Walsingham, was an encourager of all endeavours to promote the trade and navigation of England, which began then to spread itself with more vigour and success, in all parts of the world, than it had ever done before. The secretary of state not only encouraged Hakluyt in his studies for the discovery of foreign parts, but also forwarded Sir Humphrey Gilbert's voyage for the settlement of Newfoundland, by procuring him a sum of money and two ships, from the merchants of Bristol. And, undoubtedly, he promoted all similar discoveries and settlements, though there is no mention of them on record, as many plans which originated with him were carried into effect by his successors. In 1586, he founded a divinity lecture at Oxford.

In the same year, he displayed his usual vigilance and sagacity in finding out, and defeating, a conspiracy, in which Maud, one of his spies, was a pretended accomplice. The chief of the conspirators were Savage, Ballard, Maud, Babington, Windfore, Salisbury, Tilney, and some others, especially one Polly, a cunning dissembler, perfectly acquainted with the affairs of the queen of Scots, and who is thought to have revealed all their consultations, from day to day, to Secretary Walsingham, and to have encouraged the rest in this desperate undertaking. Their design was to kill queen Elizabeth, invade England with foreign troops, and release the queen of Scots from her imprisonment. In order to secure and hasten these foreign troops, Babington resolved to go over to France; and that there might be no suspicion of him, he insinuated himself into the favour of Sir Francis Walsingham, by means of Polly, and earnestly besought him to procure him a licence from the queen to travel in France, promising to render her important services, in pumping out the secret designs of the fugitives in behalf of the Scottish queen. Walsingham commended the young gentleman's zeal, and promised him not only a licence to travel, but also many and great advantages, if he successfully performed what he undertook. Yet he artfully postponed his departure under various pretexts, that he might make himself better acquainted with all the ramifications of the conspiracy. One Gilbert Gifford was very instrumental in sifting out the plot. He was employed privately to lurk in England as a

messenger to convey intelligence between the fugitives and the queen of Scots ; but, on discovering himself and the nature of his employment to Walsingham, he promised to communicate to him the contents of all their correspondence. Walsingham entertained Gifford kindly, and sent him into Staffordshire, where the queen was then confined, requesting Sir Amias Poulet, who was her keeper, to connive at the corrupting of one of his men by Gifford. Sir Amias desired to be excused, yet permitted him to corrupt a brewer who lived in the neighbourhood. Gifford, with a few pieces of gold, soon succeeded in bribing the brewer, who secretly put letters into, and received answers through, a hole in the wall, which was stopped with a loose stone, and these forthwith came into the hands of Walsingham, by messengers ready to carry them. Walsingham opened them, wrote them out, found out the cyphers through the singular art and skill of one Thomas Philips, and, by the equal tact of one Arthur Gregory, they were sealed up again so skilfully, that no one could entertain the least suspicion of their having been opened. Thus was the correspondence between the queen of Scots and Babington intercepted.

But Walsingham went a step further. To one of these letters he himself added a postscript in the same characters as the rest, desiring Babington to set down the names of the six gentlemen alluded to, and also a copy of the letters which were written on the same day and at the same date to Mendoza, the Spanish ambassador, to Charles Paget, to Lord Paget, the Archbishop of Glasgow, and Sir Henry Ingilfield. This was done : Walsingham copied them, and then forwarded them to France, where these partizans of the queen of Scots then resided. As soon as Elizabeth understood, by these letters, what imminent danger she was in, she ordered Ballard to be apprehended. He was seized in Babington's own house. Alarmed at this, Babington pressed Walsingham by letters and earnest entreaties, that he might have his licence granted to travel in France, and he also solicited the release of Ballard, saying that he would be of great use and service to him in the business he had undertaken. Walsingham fed him with fair promises from day to day, and laid the blame of the apprehension of Ballard on the *poursuivants*. He then advised Babington to lodge at his house in London, till the queen had signed his licence, and till he himself could return to town, (for he was with the court in the country,) that they might have the more secret and secure conference about matters of such moment and consequence, and that no suspicion of him might arise among the fugitives, on account of his frequent visits. In the mean time, one Scudamore, a confidential amanuensis of Walsingham's, was commanded to have a watchful and vigilant eye over Babington, and to keep him company in all places, under the pretence of securing him against *poursuivants*. Thus far Walsingham had spun his thread alone, without acquainting the queen's council with his operations ; but Elizabeth now interposed, "lest," as she said herself, "by not heeding and preventing the danger while she might, she should seem rather to tempt God, than to trust him." A note was, accordingly, sent from Walsingham to Scudamore, ordering him to watch the movements of Babington with increased strictness. This note, being unsealed, was so delivered to him, that Babington, sitting next to him at table, read it along with him. Hereupon his conscience accused him, and suspecting that all was discovered, on the next night, when he and Scudamore and two others of Walsingham's adherents had supped at a tavern, Babington rose from the table as if he intended to pay the bill,

and leaving his cloak and sword behind him, he made his escape. But he, and the rest of the conspirators, were soon apprehended, and shortly afterwards executed.

We have related this affair somewhat copiously, in order to display the address of Walsingham in unravelling a plot, and keeping the conspirators playing upon a hook till he had secured them all, and could safely mesh them in his net. His earnest zeal and affection for Elizabeth rendered him of course an uncompromising enemy to all her foes, and his resentment was particularly directed against Mary queen of Scots. Some, indeed, pretend that he scrupled not to order her to be privately destroyed. This injurious opinion is grounded on a joint letter from Sir Francis and Secretary Davison to Sir Amias Poulet, said to have been found among Sir Amias Poulet's writings; but it is not mentioned when, or by whom, this discovery was made. It is, however, printed in the Harleian Collection, and a Mr. Freebairne inserted it in the *Romance of the Queens of Scots*, translated from the French, and published by him, and it has since been embodied in the history of that unfortunate lady, by Dr. Jebb. The letter is as follows:

"After our hearty commendations, we find, by a speech lately uttered by her Majesty, that she doth note in you both, (viz. Sir Amias Poulet and Sir Drue Drury,) a lack of that care and zeal for her service that she looked for at your hands, in that you have not in all this time (of yourselves, without other provocation) found out some way to shorten the that queen, (so written in the manuscript,) considering the great peril she is hourly subject to so long as the said queen shall live. Wherein, besides a lack of love towards her, she noteth greatly that you have not that care of your own particular safeties, or rather of the preservation of religion, and the public good and prosperity of your country, that reason and policy commandeth; especially having so good a warrant and ground for the satisfaction of your consciences towards God, and the discharge of your credit and reputation towards the world, as the oath of the association, which you both have so solemnly taken and vowed; especially the matter with which she standeth charged, being so clearly and manifestly proved against her; and, therefore, she taketh it most unkindly that men, professing that love towards her that you do, should in a kind of sort, or lack of the discharge of your duty, cast the burden upon her, knowing as you do her indisposition to shed blood, especially of one of that sex and quality, and so near to her in blood as the said queen is. These respects we find do greatly trouble her Majesty, who, we assure you has sundry times protested that, if the regard of the danger of her good subjects and faithful servants did not more move her than her own peril, she would never be drawn to assent to the shedding of blood. We thought it very meet to acquaint you with these speeches lately passed from her Majesty, referring the same to your good judgment; and so we commit you to the protection of the Almighty. Your most assured friends. (Signed) Francis Walsingham, William Davison. At London, 1st February, 1586."

Secretary Davison, in a letter of the same date, is said to have written the following passage: "I pray you let both this and the enclosed be committed to the fire; which measure shall be likewise met to your answer, after it hath been communicated to her Majesty for her satisfaction." And in another letter of his, dated the 3rd February, 1586, there is the following postscript: "I entreated you in my last to burn both the letters sent unto you, for the argument's sake, which, by your answer to

Mr. Secretary, (which I have seen,) appeared not to be done. I pray you let me entreat you to make heretics both of the one and the other, as I mean to use your's after her Majesty has seen it." And at the end of the postscript, he says: "I pray you let me know what you have done with my letters, because they are not fit to be kept, that I may satisfy her Majesty therein, who might otherwise take offence thereat; and, if you entreat this postscript in the same kind, you shall not err a whit."

A few remarks on this letter, and these postscripts are necessary. Secretary Davison's capacity makes no great figure in history; but we are sure that it is quite inconsistent with the caution and astuteness of Sir Francis Walsingham to trust a dangerous letter out of his hands, and run the chance of having it destroyed by those to whom it was addressed; when he might as effectually have conveyed his orders or directions by a written message, which could have been brought back to him by the messenger, after perusal. This latter mode of communication was most consistent with his character. It is, moreover, certain, that Walsingham was not so ready to order the queen of Scots to be clandestinely murdered; for when the Earl of Leicester advised her being poisoned, and sent a clergyman privately to Sir Francis to satisfy him that it was a lawful act, Walsingham protested that he was so far from consenting that any violence should be done to her, that he had lately frustrated the designs of the Scotch Earl of Morton, who had advised that she should be sent back to Scotland, and put to death on the borders of the two kingdoms.

In October, 1586, Walsingham was appointed one of the commissioners to try that queen, for compassing and imagining, among others, divers things to the hurt of queen Elizabeth. At her trial she indirectly charged Sir Francis with counterfeiting her cyphers and characters, and with practising both against her life and her sins; for, when one of her letters was produced, wherein Babington's plot was commended, her Majesty said, that it was an easy matter so to counterfeit cyphers and characters of others, as a young man did lately in France, who gave himself out to be her son's base brother; that she was also afraid this was done by Walsingham, to bring her to her end, who (as she had heard) had practised against her own life, and that of her sons. She protested that she had never even thought of the destruction of Elizabeth. Whereupon, Walsingham declared that his heart was free from all malice. "I call God to witness," said he, "that as a private person I have done nothing unbecoming an honest man; neither in my public condition and quality have I done any thing unworthy of my place. I confess that, out of my great care for the safety of the queen and realm, I have curiously endeavoured to search and sift out all plots and designs against the same. If Ballard had offered me his assistance I should not have refused it, yea, I would have rewarded him for his pains and services. If I have tampered any thing with him, why did he not discover it to save his life?" With this answer the queen said she was satisfied. She prayed Walsingham "not to be angry that she had spoken so freely what she had heard reported, and that he would give no more credit to those who had slandered her, than she did to such as accused him. Spies, she said, were men of doubtful and little credit, who make show of one thing and speak another; and desired him, that he would not in the least believe that ever she had consented to the queen's destruction."

Soon afterwards, Sir Francis was made chancellor of the duchy of Lancaster. About this time, when preparations were making in Spain for

invading and conquering England, Sir Francis, by a refined piece of policy, defeated for a whole year the measures adopted by Spain for fitting out the armada, of which we have the following particular account. The vast preparations that had been making for a considerable time in Spain, kept all Europe in suspense, for it was not certain against whom they were designed, although it was the general opinion, they were destined to subdue the Netherlands by a decisive and overwhelming blow, which Spain was sensible could not be done without a greater force by sea and land, than had been hitherto employed for that service. Queen Elizabeth thought fit to be on her guard, and had some jealousies that she might be aimed at; but how to find it out was the difficulty, which at length Walsingham overcame. He had intelligence from Madrid, that king Philip had told his council, he had dispatched an express to Rome, with a letter written by his own hand to the pope, acquainting him with the true design of his preparations, and asking his blessing upon it, which for some private reason he could not disclose before the return of the courier. The secret being thus lodged with the pope, Walsingham, by the means of a Venetian priest, retained by him at Rome as a spy, got a copy of the original letter, which was stolen out of the pope's cabinet by a gentleman of the bed-chamber, who took the keys out of the pope's pocket while he slept. Upon this intelligence, Walsingham found the means of retarding the Spanish invasion for a whole year, by getting the Spanish bills protested at Genoa, which should have supplied them with money to carry on their preparations.

After this great event, we hear very little of this indefatigable minister, only that, in 1589, he entertained queen Elizabeth at his house at Barn-Elms. Probably he was now worn out with age as well as with infirmities, occasioned by his too intense application to the service of his country. Besides his other dignities and employments, we find that he was a knight of the garter, and recorder of the borough of Colchester. He died on the 6th of April, 1590; and, after all the services he had performed for his queen and country, he gave a remarkable proof at his death how far he had preferred the public interest to his own; for he died so poor, that his friends were obliged to bury him privately in the night, for fear his body should be arrested for debt;—a fault that few statesmen, who have succeeded him, have been guilty of!

He was a person of great prudence and rare industry; a most steady assertor of the reformed religion; studious and temperate; so public-spirited, that he spent his estate to serve the kingdom; so faithful, that he literally devoted his life to Elizabeth; so fond of learning, that out of his own funds, he provided a library for King's College, Cambridge, where he received his academical education. Finally, he equalled all the statesmen of former ages, was a pattern to all that might succeed him, and was perhaps never rivalled for sagacity, labour, and disinterestedness.

By his wife, who was of the family of St. Barbe, he left only one daughter, who was married thrice; first, to Sir Phillip Sidney; secondly, to Robert Devereux, Earl of Essex; and thirdly, to Richard Bourke, Earl of Clanricarde, in Ireland. By the first she had one daughter, married to Roger, Earl of Rutland; by the second, a son and two daughters; and by the last, a son and a daughter.

There is ascribed to Sir Francis Walsingham, a book, entitled "*Arcana Aulica, or Walsingham's Manual*," of prudential maxims, for the statesman and courtier, printed several times; but it may justly be questioned whether it was of his own composition.

REFLECTIONS ON THE LIFE AND DEATH OF LORD CLIVE.

Ан ! The tale is told—the scene is ended—and the curtain falls. As an emblem of the vanity of all earthly pomp, let his monument be a globe, but be that globe a bubble ; let his effigy be a man walking round it in his sleep ; and let fame, in the character of a shadow, inscribe his honours on the air.

I view him but as yesterday on the burning plains of Plassey, doubtful of life, health, and victory.* I see him in the instant when “ to be or not to be,” were equal chances to a human eye. To be a lord or a slave, to return loaded with the spoils, or remain mingled with the dust, of India. Did necessity always justify the severity of a conqueror, the rude tongue of censure would be silent, and however painfully he might look back on scenes of horror, the pensive reflection would not alarm him. Though his feelings suffered, his conscience would be acquitted. The sad remembrance would move serenely, and leave the mind without a wound. But oh, India ! thou loud proclaimer of European cruelties ! thou bloody monument of unnecessary deaths ! be tender in the day of inquiry, and show a Christian world thou canst suffer and forgive.

Departed from India, and loaded with plunder, I see him doubling the Cape and looking wistfully to Europe. I see him contemplating years of pleasure, and gratifying his ambition with unexpected honours. I see his arrival pompously announced in every newspaper, his eager eye rambling through the crowd in quest of homage, and his ear listening lest an applause should escape him. Happily for him he arrived before his *fame*, and the short interval was a time of rest. From the crowd I follow him to the court where I see him enveloped in the sunshine of sovereign favour, rivalling the great in honours, the proud in splendour, and the rich in wealth. From the court I trace him to the country ; his equipage moves like a camp ; every village bell proclaims his coming ; the wandering peasants admire his pomp, and his heart runs over with joy.

But, alas ! (not satisfied with uncountable thousands) he proceeds again to India. I mark the variety of countenances which appear at his landing. Confusion spreads the news. Every passion seems alarmed. The wailing widow, the crying orphan, and the childless parent remember and lament ; rival nabobs court his favour ; the rich dread his power, the poor, his severity. Fear and terror march like pioneers before his camp—murder and rapine accompany it—famine and wretchedness follow it in the rear.

Resolved on accumulating an unbounded fortune, he enters into all the schemes of war, treaty, and intrigue. The British sword is set up for sale ; the heads of contending nabobs are offered at a price, and the bribe is taken from both sides. Thousands of men and money are trifles in an Indian bargain. The field is an empire, and the treasure an exhaustless mine. The wretched inhabitants are glad to compound for offences never committed, and to purchase at any rate the privilege to breathe ; while he, the sole lord of their lives and fortunes, disposes of either as he pleases, and prepares to return to Europe.†

* Battle of Plassey in the East Indies, where Lord Clive, at that time Colonel Clive, acquired an immense fortune, and from which place his title was taken. His descendants now enjoy the earldom of Powis.

† In April, 1773, a committee of the house of commons, under the name of the select committee, were appointed to inquire into the state of East Indian affairs, and the conduct of the several governors of Bengal. The report of the committee

Uncommon fortunes require an uncommon date of life to enjoy them in. The usual period is spent in preparing to live; and unless nature prolongs the time, fortune bestows her excess of favours in vain.

The conqueror of the east having nothing more to expect from the one, has all his court to make to the other. Anxiety for wealth gives rise to anxiety for life; and wisely recollecting that the sea is no respecter of persons, he resolves on taking his route to Europe by land. Little beings move unseen, or unobserved, but Clive engrosses whole kingdoms in his march, and is gazed at like a comet. The burning desert, the pathless mountains, and the fertile valleys, are in their turn explored and passed over. No material accident distresses his progress, and England once more receives the spoiler.

How sweet is rest to the weary traveller: the retrospect heightens the enjoyment; and if the future prospect be serene, the days of ease and happiness are arrived. An uninquiring observer might have been inclined to consider Lord Clive, under all these agreeable circumstances, as one, whose every care was over, and who had nothing to do but to sit down and say, *Soul, take thine ease, thou hast goods laid up in store for many years.*

The reception which he met with on his second arrival, was in every instance equal to, and, in many, it exceeded, the honours of the first. It is the peculiar temper of the English to applaud before they think. Generous of their praise, they frequently bestow it unworthily; but when once the truth arrives, the torrent stops, and rushes back with the same violence. Scarcely had the echo of applause died away upon the ear, than the rude tongue of censure took up the tale. The newspapers, fatal enemies to ill-gotten wealth, began to buz a general suspicion of his conduct, and the inquisitive public soon refined it into particulars. Every succeeding number gave a stab to his fame,—a wound to his peace of mind,—and a nail to his coffin. Like spectres from the grave, they haunted him in every company, and whispered murder in his ear. A life

contained charges of the blackest dye, of rapacity, treachery, and cruelty, against those who were principally concerned in the deposal and death of Surajah Dowlah, the signing of a fictitious treaty with one of his agents,—the establishment of Meer Jaffier,—the terms obtained from him on that occasion, and the other capital circumstances which led to, or attended, the celebrated revolution at Bengal in 1756; thereby comprehending Lord Clive, and the other chief actors in those transactions. General Burgoyne, the chairman of the committee, prefaced their report to the house, informing them, “that the reports contained accounts of crimes shocking to human nature, and that the most infamous designs have been carried into execution by perfidy and murder. He recapitulated the wretched situation of the Indian princes, who held their dignities on the precarious condition of being the highest bribers. No claim, however just on their part, he said, could be admitted without being introduced to favourable consideration by enormous sums of rupees, nor was any prince suffered to reign long, who did not quadruple with this idea; and that Lord Clive, over and above the enormous sums he might, with some appearance of justice, lay claim to, had obtained others to which he could have no title. He (General Burgoyne) therefore moved, “that it appears to this house, that Robert Lord Clive, Baron of Plassey, about the time of deposing Surajah Dowlah, nabob of Bengal, and establishing Meer Jaffier in his room, did, through the influence of the power with which he was entrusted, as member of the select committee in India, and commander of the British forces there, obtain and possess himself of two lacs and 80,000 rupees, as a member of the select committee; a further sum of two lacs of rupees, as commander in chief; a further sum of sixteen lacs of rupees, or more, under the denomination of *private donations*; which sums, amounting to twenty lacs and 80,000 rupees, were of the value, in English money, of £234,000, and that in so doing, the said Robert Clive abused the powers with which he was entrusted, to the evil example of the servants of the public.”

chequered with uncommon varieties is seldom a long one. Action and care will in time wear down the strongest frame ; but guilt and melancholy are poisons of quick dispatch.

Say, cool, deliberate reflection, was the prize, though abstracted from the guilt, worthy of the pains ? Ah ! no. Fatigued with victory, he sat down to rest, and while he was recovering breath, he lost it. A conqueror more fatal than himself beset him, and avenged the injuries inflicted upon India.

As a cure for avarice and ambition, let us take a view of him in his later years. Ha ! what gloomy being wanders yonder ? How visibly is the melancholy heart depicted on his countenance ? He mourns no common care—his very steps are timed to sorrow—he trembles with a kind of mental palsy. Perhaps it is some broken-hearted parent, some David mourning for his Absalom, or some Heraclitus weeping for the world. I hear him mutter something about wealth. Perhaps he is poor, and has not where to lay his head. Perchance he is some debtor started from his sleepless pillow, to ruminate on poverty, and ponder on the horrors of a gaol. Poor sufferer ! I'll to him and relieve him. Ha ! 'tis Lord Clive himself, the hero of Plassey, the conqueror of the East ! How awful is the change ! not Hector's more so, when his vision appeared to Æneas. He makes, I see, for yonder cypress shade—a fit scene for melancholy hearts ! I'll watch him there and listen to his story.

Lord Clive.—“ Can I but suffer, when a beggar pities me ? Ere now I heard a ragged wretch, who every mark of poverty had on, say to a sooty sweep : Ah ! poor Lord Clive ! while he, the negro-coloured vagrant, more mercifully cruel, curst me in my hearing.

“ There was a time when fortune, like a yielding mistress, courted me with smiles. She never waited to be told my wishes, but studied to discover them, and seemed not happy in herself, but when she had some favour to bestow. Ah ! little did I think the fair enchantress would desert me thus ; and, after lavishing her smiles upon me, turn my reproacher, and publish me in folio to the world. Volumes of morality are dull and spiritless, when compared with me. Lord Clive is himself a treatise on morality, printed on a golden type. The most unlettered clown writes explanatory notes thereon, and reads them to his children. Yet I could bear these *insults*, could I but bear *myself*. A strange unwelcome something hangs about me. In company, I seem no company at all. The festive board appears to me a stage,—the crimson coloured wine resembles blood,—each glass is strangely metamorphosed into an armed man, and every bowl appears a nabob. The joyous toast is like the sound of murder,—the merry song seems the shriek of ravished innocence,—the loud laugh is as the groan of a dying man. The scenes of India are all rehearsed, yet no one sees the tragedy but myself. Ah ! fearful flights of imagination, which upbraiding conscience passes before my view ! I discover things which are not, and hear unuttered sounds.

“ O peace, thou sweet companion of the calm and innocent, whither art thou fled ? Here, take my gold and all the world calls mine, and come thou in exchange. O thou, thou noisy sweep, who mixeth thy food with soot and relisheth it, who canst descend from lofty heights and walk the humble earth again without repining at the change, come teach that mystery to me. Or thou, thou ragged wandering beggar, who, when thou canst not beg successfully, will pilfer from the hound, and eat the dirty morsel sweetly ; be thou Lord Clive, and I will beg, so I may laugh like thee.

"Could I unlearn what I've already learned—unact what I've already acted—or would some sacred power convey me back to youth and innocence, I'd act another part—I'd keep within the vale of humble life, nor wish for what the world calls pomp."*

THE FOUNTAIN OF VIRTUE.†

AGIB was the grand vizier of the Sultan Nourishan, of Persia; the light of his smile shone upon Agib, who lived within the circle of his munificence. Agib had a daughter, in whom every beauty that can belong to woman seemed to unite; her eyes were of a brilliant blue, fringed by long black feathery lashes; roses and lilies seemed to quarrel which should predominate on her cheeks; her lips were formed of coral from the Egean, and her teeth of the pearls of Ceylon; her hair, compared to which the raven's plumes were snow, fell over a neck and shoulders of the purest alabaster. She was tall and straight as the cedar of Lebanon, and graceful as the willow of Ispahan; but to all these perfections of body, Zamira joined a deformed mind: few who beheld that form, which seemed the paragon of earthly beauty, imagined that it concealed so bad a heart. Thus do berries, that hang in bright red clusters, seem lovely to the view and sweet to the taste, but yet within contain a deadly poison. Zamira spent the greatest part of her time in adorning her person; sometimes she would appear as a shepherdess, clad in white, and crowned with roses; at others, as a Naiad, enveloped in azure gauze, her long hair flowing down even to her feet. Again, she would appear as Minerva or Diana, some few dark curls escaping in studied negligence from beneath a silver helmet, shaded by the snowy plumes of the ostrich, her bust clad in dazzling steel, from which descended a crimson or purple velvet vest, richly embroidered with gold and jewels, which fell to her knees. In her hand she carried a spear; her delicate feet were bound by sandals; but dress as she may, she was lovely as goddess, as woman she was beautiful! As Zamira, one evening, tired of the dance in which she had joined with the other maidens of her father's household, was sauntering through the gardens of the harem, she heard, at a distance, a murmuring sound; she approached the place from whence it proceeded. To her surprise, she perceived a bright stream of crystal water, which she had never before observed. Delighted, enchanted with the sight, she hastily disrobed, and flung herself into it. At that moment there appeared, at the furthest end, in a kind of grotto, a beautiful spirit, whose looks were sad, sternly austere. She thus addressed the trembling Zamira: "Presumptuous mortal! who art thou that darest thus approach the fountain of virtue? Know that bathing in this fountain renders the virtuous maiden more

* Lord Clive died in November, 1774, at the early age of forty-nine. He expired suddenly, and was found a corpse by his valet. He is said to have realized from his Indian campaigns £1,200,000, and his wife had a casket of oriental jewels valued at £300,000. He was considered in his time the richest subject in the three kingdoms. His early death has always been attributed to remorse of conscience.

† This little tale is the genuine and unassisted production of a young lady, who wrote it at the age of twelve. The plan, the moral, and the diction belong to her exclusively. As a proof of what may be accomplished by able tuition, we publish it, observing that the youthful authoress was a pupil of our esteemed friend and talented coadjutor, Mr. Piercey.—*EDITOR.*

beautiful, but that every wicked thought that passes through an evil mind is punished by loathsome deformity of body." Zamira, at these terrible words, rose with precipitation and fled.

The bright sun had already performed half his path through the heavens, when Zamira, reflecting on the events of the preceding evening, wondered if what the spirit of the fountain said was really true. At that moment, she observed a female of surprising beauty cross the garden; rage and envy swelled her heart, but, horrible to relate, she was immediately seized with convulsions, and recovered only to find herself transformed from the lovely Zamira into a monster of deformity,—her raven glossy ringlets were changed into a few dirty red locks,—her eyes, which rivalled the azure firmament of Heaven, became small, shrunken and grey,—her skin, once white as the plumage of the swan, became shrivelled and sallow; in a word, she was loathed as the leper, shunned as the serpent! Rage and despair at first took possession of her soul; but she only became more hideous, till her very slaves fled from her in dismay. Then, for the first time, she felt and acknowledged her faults; the pearly tears of repentance bedewed her cheeks, she humbled herself before God, and was forgiven! Instantly her beauty was restored, nay, she was more beautiful than ever!

Into many faults did poor Zamira fall, and many times did the virtue of the waters of the fountain operate; when, one day, the sultan issued an order that the most beautiful maidens of Persia should assemble on a particular day, that he might choose from amongst them one worthy to share his throne. Zamira was of course to attend this meeting of beauty, proudly conscious of triumphing over every competitor. The day arrived; the sultan and all the officers of his court were assembled; the maidens were commanded to unveil. Zamira was one of the last to obey this order—a murmur of admiration was heard around—the sultan immediately flew to her, and was about to speak, when another female unveiled, whose beauty nearly equalled that of Zamira. She was dressed in virgin white, not a flower even adorned her unassuming loveliness. Zamira let fall her veil, and thus spoke to the sultan Nourishan: "Sublime sultan, may your slave speak and live. You see that form of beauty; it conceals a mind as black as the dark sea into which all but true believers must fall! besides, her beauty is half assumed, *she* was my slave, she is —." Whilst she was yet speaking, Zamira felt the fatal convulsion—she knew and dreaded what would follow, and immediately fled from the presence of the sultan, to the very innermost apartment of the harem; but she could not hide herself from the eye of her soul; yet she would not repent—all hope of being sultana was now at an end, for Zamira became more hideous than ever; she hated poor Amina as the cause, and determined to destroy her. For this purpose, she sent for her one day, and, with falsehood and treachery on her lips, she greeted her arrival; the cups of sherbet were handed round in honor to her guests, that presented to poor Amina was poisoned! She put it to her lips—at that moment, remorse seized upon the soul of the guilty Zamira, who, snatching the cup from her hands, dashed it to the earth and bade her depart. The next day, the sultan, who was ignorant of all these strange events, and who had not altered his resolution of espousing the daughter of his grand vizier, assembled all the nobles of his court to witness and celebrate his marriage with Zamira. She appeared at the appointed hour, simply clad in a yellow silk robe, that descended to her feet, and a veil of the same colour that covered her whole person;

she was leaning on the gentle Amina, who was clad in the most costly robe of embroidered velvet, and covered from head to foot with the rarest jewels; she led her to the foot of the sultan's throne, and prostrating herself at his feet, she exclaimed: "Behold her who is alone worthy of being your queen; take her, she is pure, she is innocent! I, I alone have blackened her with calumny, but I repent, and will hide my guilt from the world. Amina, to you I bequeath my jewels, my slaves,—farewell!" She slowly turned, and was about to depart, when the sultan exclaimed: "Never, Zamira, never shall another share my throne but you; never shall such beauty as thine be hidden!" "Behold that beauty!" said Zamira, slowly raising her veil. A universal cry was heard from every part,—all fell with their faces to the earth, for her beauty was by far too glorious, too dazzling for mortal eyes to look upon and live. At that moment, a noise, as of the rushing of wings, was heard in the air, and four spirits were seen descending;—the spirit of air, the spirit of light, the spirit of earth, and the spirit of heaven. The whole palace was enveloped in a supernatural brilliancy which, for a moment, obliged the multitude to turn away their heads; when they looked around again, they saw Zamira slowly ascending on a golden cloud, supported by the three spirits of earth and air and light, whilst the spirit of heaven, placing an immortal crown on her snowy brow, hovered o'er her, singing these words. whilst the others answered at every pause, "Hail! all hail!"

Song of the Spirit.

Virtue has triumphed over sin,—
 May she ever the palm win:
 Oh! welcome now our lovely queen,
 Hail! all hail!
 Queen of heaven! we worship thee,—
 Hail!
 Come, share a higher destiny,—
 All hail!
 Soon, Mahommed by thy side,
 Thus will greet his lovely bride,
 Welcome, dear one! heaven's pride!
 Hail! all hail!

The last words were caught up and repeated by millions of angel voices from above, and Zamira, now angelic both in mind and body, rose triumphant amidst those heavenly welcomes, and disappeared into the blue vault of heaven.

MARY JANE.

SPANISH INTOLERANCE.

IN the last number of this Magazine, we published an account of the Spanish Inquisition, and we now propose, as a companion to the former article, briefly to sketch the political consequences which befel that kingdom, as the result of the superstition and intolerance which pervaded every department of the government. This object may be fully accomplished by surveying the more prominent acts of the reign of Philip the Second.

"Notwithstanding Charles was disappointed in his scheme of transmitting the empire to his son, Philip was still the most powerful monarch of his age. In Europe, besides the united kingdoms of Castile, Arragon, and Navarre, he possessed the kingdoms of Naples, and Sicily, the

Dutchy of Milan, Franche Comté, and the Netherlands ; in Africa, Tunis, Oran, the Cape Verd and the Canary Islands ; in Asia, the Philippine and Sunda Islands, and a part of the Moluccas ; and in America, the empires of Peru and Mexico, New Spain and Chili, besides Hispaniola, Cuba, and many other of the American islands. The mines of Mexico, Chili, and Potosi, were at the time of Philip's accession, a source of greater wealth than almost all the other princes of Europe were possessed of. His fleet was much more numerous than that of any other European power ; his troops were better disciplined, and more accustomed to war and victory ; and they were commanded by the ablest and most experienced generals of the age.*

When Philip took into his hands the reins of government, it appeared highly probable that he would succeed in that scheme of universal monarchy, to which his illustrious father had vainly aspired. The house of Bourbon was the only power capable of resisting the ambition of the Spanish monarch ; but the pride of France had been humbled by the memorable defeat at Pavia. That gallant and highly spirited nation, after having broken the peace of Vaucelles, determined, once more, to try the fortune of arms ; but they were destined to sustain a further disgrace ; and the mortification which Henry experienced by the loss of the battle of St. Quentin, was rendered doubly galling by the capture of the constable, Montmorency, and of most of the first nobility in his kingdom. Had Philip possessed an enlightened mind, the resources which he possessed, would have ensured the complete ascendancy of his country in the European commonwealth ; but he was a slave to superstition, and so miserably sunk in bigotry, that he exhausted the treasures which would have crushed the house of Bourbon, in a vain attempt at imposing his own religious opinions on the bravest and most industrious of his subjects. Charles was born at Ghent, and, during his reign, he showed a strong partiality to the people of the Netherlands ; he was so sensible of their value, that he continually took occasion to impress on the mind of his son, the policy of preserving their rights and privileges. But the education of Philip destroyed the wise counsel of his prudent father ; his ecclesiastical preceptors had taught him that the first duty of a king was to maintain the authority of the holy see ; and along with these notions of submission to the church, they had inflamed his imagination with the most preposterous ideas of the extent of the royal prerogative. Philip did not suffer the grass to grow under his feet ; and, as he panted for an opportunity to testify the sincerity of his faith, and his devotion to the court of Rome, he resolved, throughout the whole of his extensive dominions, to suppress the reformed opinions, which were rapidly diffusing themselves. For this purpose, he published his edicts against heresy, and conferred on his name an immortal degradation by founding the inquisition. "Persons were committed to prison on bare suspicion, and put to the torture on the slightest evidence. The accused were not confronted with their accusers, or made acquainted with the crimes for which they suffered. The civil judges were not allowed to take any further concern in prosecutions for heresy, than to execute the sentences, which the inquisitors had pronounced. The possessions of the sufferers were confiscated, and informers were encouraged by an assurance of impunity, in case they themselves were guilty, and by the promise of rewards."†

* Watson's Life of Philip I. vol. 11, p. 25.

† Watson's Life of Philip II, vol. 2, p. 114.

The cruelties perpetrated by this execrable tribunal, became at length intolerable, and, as the inquisitors were independent of the civil jurisdiction, an appeal was made to Philip by the leading men in the Netherlands. But the monarch, who had witnessed an *auto da fé*, had long since expelled from his dark and unfeeling mind, every sentiment of humanity, and without even investigating the complaints of the petitioners, he pronounced in favour of the Inquisition, assuming that heretics were unworthy of belief and undeserving of compassion.* The refusal of the king to redress the grievances of the complainants, emboldened the ecclesiastics to further acts of barbarity; but the people of the Netherlands, instead of yielding submission through despair, determined to convince their sovereign, that protection and allegiance were reciprocal obligations, and that the withdrawal of the one justified the refusal of the other. The Prince of Orange, and the Counts Egmont and Horn, the most popular and most able noblemen in the provinces, applauded and encouraged the resolutions of their countrymen, who, finding at length that all remonstrances were unavailing, resolved to assert the liberty of conscience by an appeal to arms. In the protracted struggle which ensued, the reformers had to contend against the armaments, and treasures, and disciplined troops of Philip, with scarcely any resources, except those which constancy and courage always impart to men who prefer a glorious death to an ignominious slavery. The heroic fortitude, the dignified magnanimity, the intrepid valour, and undaunted perseverance displayed by the people of the Netherlands, far exceed the proudest examples of Grecian or Roman story; and when the reader considers that the detestable Duke of Alva was, during the greatest period of the contest, at the head of the Spanish forces, his admiration of those brave defenders of liberty will be increased, who, without money, arms, or troops, could, by their own energies, resist the most consummate general of the most powerful monarchy in the world.

The political consequences of this Catholic crusade against the religious opinions of the provinces, justified the prediction of Charles the Fifth. Spain lost, by the separation of the Netherlands, the grand source of her power: she gradually became more bigotted, and her influence in the affairs of Europe declined, as superstition triumphed. Among the remarkable vicissitudes of empires, there is none which presents a more awful warning than the fall of Spain. It appears almost romantic, that, during the memorable war of the succession, that once mighty kingdom should have been reduced to the state of a province of France, and still more wonderful, that the low countries, that small appendage of the rich inheritance which Charles left his son, should have acquired such an ascendancy in the politics of the continent, as to enable them to dictate the terms of peace to Louis the Fourteenth, who had seated his own grandson on the throne of the conquerors of Pavia and St. Quentin.

The separation of the united provinces from Spain was not the only calamity which the superstitious bigotry of Philip entailed on his country. The expulsion of the Moors forms a striking feature in his political system. This people, who descended from the Moors, had been entirely

* Among the Protestants condemned, there was a nobleman, named Don Carlos di Stessa, who, when the executioners were conducting him to the stake, called out to the king for mercy, saying, "And canst thou, O king! witness the torments of thy subjects: save us from this cruel death, we do not deserve it." "No," Philip sternly replied, "I would myself carry wood to burn my own son, were he such a wretch as thou." After which he beheld the horrid spectacle that followed, with a composure and tranquillity that betokened the most unfeeling heart.

subdued by Ferdinand the Catholic, the grandfather of Philip. That prudent sovereign, though a zealous promoter of the orthodox faith, after having captured the city of Granada, desisted from persecuting the Morescoes, whose industry and skill in manufactures he knew how to appreciate. Charles the Fifth imitated the wise policy of his father, and during his reign they enjoyed the blessings of toleration. But when Philip ascended the throne, he was easily persuaded to exterminate the followers of Mahomet. To carry this plan into execution, he published an edict against them, the provisions of which were somewhat extraordinary. After prohibiting, in the most positive terms, the study of the koran, he commanded the women to discontinue the use of veils, and of the baths; ordered both sexes to change their mode of dress, and desired that all persons should speak Spanish, instead of Arabic. A remonstrance was immediately dispatched to Madrid, in which the Morescoes stated, that the women wore veils for the sake of decency; that the baths were made use of for cleanliness; that Christianity could not be violated by their wearing any particular dress; and that the old would not be able to learn the Spanish language. This petition was answered by a body of inquisitors, supported by an army. An insurrection took place, which terminated in the defeat and complete subjugation of the Morescoes. Philip resolved to drive his Mahometan subjects out of the country, to effect which purpose in a satisfactory manner, he commanded all the prisoners above eleven years of age, to be sold as slaves in Africa, and the young children were brought up in the Christian faith. By this decisive act, he ruined the only manufacturing interest in Spain, the loss of which became doubly irreparable, by the revolt and separation of the United Provinces of the Netherlands.*

The spirit of bigotry, which dismembered the European possessions of Spain, and paralyzed commercial enterprize, produced a similar result in her South American territories. Instead of imitating the example of ancient Rome, Spain endeavoured to impose on its new subjects her own religious creed, and, by this injudicious attempt, she neutralized the enormous benefits she might have derived from the accession of such wealthy, extensive, and fertile colonies. The work of Las Casas is well known; and Bartolomeo Casa affirms, that the Spaniards, in America, destroyed in about forty-five years, *ten millions* of human beings! and this, with a view of converting them to Christianity. He tells us that they hanged those unhappy men *thirteen* in a row, in honour of the *thirteen Apostles*! And they also gave their infants to be devoured by the dogs! There is a story recorded of an Indian, who, being tied to the stake, a Franciscan friar exhorted him to turn Christian, and then he would go to heaven. The Indian asked him "whether there were any Spaniards in heaven?" "Certainly," the Franciscan answered, "it is full of them." "Then," the last words of the dying Indian were, "I had rather go to hell than have any more of their company."

Corsini tells us, that they destroyed above fifteen millions of these unhappy men in less than fifty years, and gives this curious observation, —that the blood of these devoted victims, added to that of the slaves destroyed in the mines, in which they were compelled to labour, would weigh as much as all the gold and silver that had been dug out of them. It is also proper to observe, that the apology they framed to extenuate

* Philip the Third, who was even more bigoted than his father, pursued the same policy against the Moors and Jews, and completely exterminated the small remnant of that persecuted race.

this dreadful inhumanity was, that God had not redeemed, with his blood, the souls of the Indians, and that therefore there was no difference to be made between them and the lowest species of beasts.*

Before closing these remarks on the decline of the Spanish empire, it will afford an additional proof of the debasing influence of superstition if we notice two edicts, the one passed by Philip the Third, the other by Philip the Fourth. The former was issued in 1620, at which time poverty and indolence were so deplorably prevalent, that there were no capitalists to employ labourers, and few labourers willing to work. Philip, in the hope of reviving the exhausted condition of agriculture, granted certain patents of nobility to those who would devote their money and time to the cultivation of the land. What must have been the state of a country in which bounties became necessary to provide the necessaries of life!! But it appears from the edict passed in the succeeding reign, in 1621, that the habits of the people had become so brutalized by superstition, that even the prospect of famine did not rouse them from their lethargy. Olivarez, who was at that time minister, issued a proclamation, of which the principal provisions were the following. In order to multiply population, all new married persons were exempted from public duties for four years; and all who had six children were exempted from every species of tax. With a view to promote the local interests of the different provinces, the country people were prohibited from coming to Madrid or Seville, without special permission, under a heavy penalty; nor was any one allowed to quit the realm without the royal sanction. Foreign artisans were invited to come to Spain, and considerable indulgence promised, in case of making it their permanent abode. Gold and silver ornaments were only allowed for the performance of divine service: silk mantles were forbidden, and even the king's sons were restricted in the number of their servants. Yet this was the nation which imported all the precious metals into Europe! Olivarez was a man of genius; but the difficulties with which he had to contend, would have baffled the ingenuity of more able statesmen. It is quite certain, that no man will sow seed, unless he is sure to reap the harvest, and in Spain, there existed no security of property. The Inquisition had the power of bringing an industrious man before their accursed tribunal, and without confronting him with his accuser, or even telling him the nature of his crime, these priestly judges could sentence him to death, and appropriate his possessions to some religious institution, the members of which prayed for the repose of his soul!!!

To those who are capable of philosophizing on the rise and fall of empires, how ample a field of instruction is afforded by contrasting the present condition of Spain with its former glory and power. When other nations have been advancing in arts and civilization, she has retrograded, and is now scarcely more respectable than during the middle ages. The nation which once imported all the bullion of South America, is now bankrupt, and unable even to pay the interest on her debt. The country which fitted out the armada, is now without a vessel of war. The people who aspired to universal monarchy, are now unable to defend their own soil from hostile aggression. Such are the fatal effects of intolerance and superstition; such are the unhappy results of ignorance, and of that mistaken policy which represses the development of the intellectual faculties.

* These details are extracted from D'Israeli's *Curiosities of Literature*, vol. i. p. 364, article, America.

TRANSLATIONS FROM SCHILLER'S "MARY STUART."

ACT I.—SCENE, FOTHERINGAY CASTLE.

MARY, QUEEN OF SCOTS.—SIR AMIAS PAULET, GOVERNOR.—THE LORD HIGH CHANCELLOR BURLEIGH.

SIR PAULET.

You wished to know your fate with certainty.
His Excellence, my lord of Burleigh brings
This certainty—bear it with resignation.

MARY.

With the true dignity, I trust, of innocence.

BURLEIGH.

I come as the tribunal's deputy—

MARY.

Obligingly, Lord Burleigh lends his word
To the same court to which he gives his spirit.

PAULET.

'T would seem that you already knew your sentence—

MARY.

Since my lord Burleigh brings it, Sir, I know it—
But to the point.

BURLEIGH.

You have referred your cause
To the decision of the Three-and-forty—

MARY.

Pardon, my lord, but I must interrupt you
At the commencement—I have not submitted
To the decision of the Three-and-forty !
How could I ?—I could not so far forget
My rank, my people's dignity, my son's,
And that of every prince. The English law
Ordains that the accused be tried by none
But a full jury of his like in rank.—
Who in the committee is my equal, pray ?—
Monarchs alone are my peers.

BURLEIGH.

You heard
The indictment, and allowed yourself to be
Examined by the court—

MARY.

I was induced

By Hutton's base insidious artifice,
For my own honor's sake, and in reliance
Upon my arguments' o'erwhelming force,
To lend an ear to that indictment, solely
To prove its false foundation, from respect
Sir, to the *persons* merely of the lords,
Not for their office, which I still reject.

BURLEIGH.

Your recognizing it or not, my lady,
Is but a technical formality
Which cannot stay the course of the tribunal.
You breathe the air of England, you enjoy
The benefit and protection of its laws,
Hence you are subject to its sovereignty.

MARY.

I breathe the air within an English prison ;
To live in England thus you call enjoying
The benefit of the laws !—I scarcely know them—
Never did I consent to keep them,—I,
My lord, am not a citizen of this realm,—
I am a *free* queen of a foreign land.

BURLEIGH.

And think you that the royal name should serve
As a free privilege to sow wild discord
With dire impunity in foreign lands?
Where would be the security of states,
If the just sword of Themis could not reach
The guilty bosom of the royal guest
As well as strike the criminal heggar's head?

MARY.

I shrink not from accounting for my actions,
My sole and just objections are—the judges.

BURLEIGH.

Your judges! How, my lady? are they, then,
Low abject creatures, caught up by the mob,
Mere shameless pettifoggers, that would sell
Justice and truth, and readily, when sought,
Hire themselves out as organs of oppression?
Are they not all the chief men of this land,
Possessing all sufficient independence
To dare be honestly sincere, and stand
Immeasurably far above base bribery
Or dread of princes? Are they not the same
Who freely, justly rule a noble people;
The same whose names, when mentioned, strike suspicion
And wav'ring doubt with instant speechlessness?
First, at their head is ranked the people's shepherd,
The pious primate of fair Canterbury,
Next, Talbot Keeper of the seals, and Howard
Who heads the empire's fleets—Could England's queen
Do more than from the whole of her dominions
Select the noblest as the fittest judges
In this said royal difference? But, suppose
That party hate *could* bribe the individual,
Could forty chosen men agree to pass
The self-same sentence swayed by party spirit?

MARY.

Astounded I now hear that eloquence
Whose power hath ever been so fatal to me!
O how can I, a weak unlettered woman,
Cope with such ready skilful orators?
True! if these lords were as you represent them,
I should be silenced—yes, my cause would be
Lost without hope if they pronounced me guilty;
But these proud names which you extol so highly,
Which are to crush me with their mighty weight,
These I see playing in your country's history
Far different and less noble parts, my lord.
I see this high nobility of England,
Flattering like abject serfs of the seraglio,
My grand uncle, th'Eighth Henry's sultan humours,—
I see this noble upper house, my lord,
As venal as the purchaseable commons.
I see them framing and rescinding laws,
Dissolving and cementing marriages
With mighty sway; now, disinheriting
The daughters of Britannia's kings, and branding
Their names as bastards, and now, crowning them
As queens. I see these honourable peers
With a most swiftly mutable conviction,
Changing their faith *four times within four reigns*.

BURLEIGH.

To England's laws you call yourself a stranger,
In its misfortunes you are deeply versed.

MARY.

And these then are my judges! Lord High Treasurer,
I will be just to you, be you the same.
'Tis said that your intentions to the state
And to your queen are good,—that you are vigilant,
Not to be purchased, indefatigable.—
I will believe it. You are never swayed
By selfish motives,—nothing, save the queen's
And state's advantage, ever governs you;
But for that very reason, noble lord,
Beware—mistrust yourself, lest the state's interest
Appear to you as justice.—I doubt not
That upright men sit with you as my judges;
But they are Protestants and zealots all
For England's weal,—on me they sit in judgment,
On me the queen of Scotland and a Papist.—
“The Briton to the Scot can ne'er be just,”
Is an old proverb.—Hence, since th'earliest times
Of our first forefathers, the want hath been,
That 'gainst the Scot before a court no Briton,
No Scot against a Briton, may bear witness.
Necessity hath framed this singular law,
But a deep meaning lurks in ancient customs,
And we must strictly rev'rence them, my lord.
Nature hath cast these two proud fiery nations
Upon this plank amidst the ocean; she hath shared it
Unequally, and bade them struggle for it,
The small bed of the Tweed alone divides
The impetuous spirits; often in its waves
The blood of the fierce combatants hath mingled;
Their hands upon their swords, a thousand years
Have they, from each bank, threatening, viewed each other.
No foe hath ever sorely straitened England
With whom the Scot as aid hath not been joined;
No civil war e'er fired fair Scotland's cities,
To which the Briton did not bear the fuel,
And never will this hatred be extinguished,
Till *one* fraternal parliament unite them,
One sovereign sceptre rule throughout the isle.

J. D. PIERCEY.

THE ROMAN DE ROU.—No. 3.

(Continued from page 235.)

On the death of Rello, William Longsword, his son by Pope, daughter of the Earl of Bayeux, succeeded to the dukedom. He married the daughter of Herbert, the second of that name, Count of Vermandois, and not of Senlis, as Wace observes. It was this Herbert who imprisoned Charles the Simple in the castle of Peronne, where he died after six years of captivity. Wace thus describes the person and character of William Longsword.

Willame Lunge Espée fu de haulte estature;
Gros fu par li espauls, greille par la chainture; (1)
Gambes out langes dretes, large la forchéure; (2)
N'estoit mie sa char embrunie ne oscure;
Li tez (3) porta hault, lunge out la chevelure;
Oils dretis et apers out, è dulce regardeure; (4)
Mez à sis anemiz semla muntis fière è dure
Bei nez è bele buche è bele parléure
Fors fu come Jehanz, (5) è hardiz sans mesure;
Ki son oolp atendi, de sa vie n'out care. (6)

Vers. 2071.

At the commencement of the reign of William Longsword, the Bretons revolted. Berengier and Alain thought this a favourable opportunity to

- (1) Mince par la ceinture.
- (2) La poitrine large.
- (3) La tête.

- (4) Les yeux dretis et le regard doux.
- (5) Comme un géant.
- (6) Souci, soin.

assert their independence, and renounce the allegiance they were compelled to pay to Rollo. But they were defeated with great loss, and their castles razed to the ground. Alain, who commenced these hostilities, was driven out of Normandy, and took refuge in England. The Duke of Normandy confiscated his estates. Berengier tenders his submission, which is accepted. Wace next alludes to several transactions, which he had heard of in his youth, but he studiously avoids guaranteeing their correctness. He says that he had heard from the (*jongleurs*) mountebanks, that William had assassinated Osmont, torn out the eyes of Rioulf, Earl of the Cotentin, and treacherously murdered the brave Anquetil. He also appeals to the testimony of "Fescam," and some commentators have supposed this to be the name of an author, whose writings have perished. It is clear that he does not allude to either of his ordinary guides, Dudon of St. Quentin and William of Jumieges, for they cannot possibly be intended by the word "Fescam." But the great probability is, that our poet alludes to the town of Fecamp, in which William Longsword frequently resided, and he might have learned some of its local traditions, relative to the duke. It is certain, that when Rioulf besieged Rouen, William sent his mistress Sprote to his palace at Fecamp, *ad fiscannicæ seitis aulam*, where she was delivered of Richard the First. Moreover, we shall see as we advance further, that our author visited Fecamp, and witnessed the removal of the tombs of Richard the First, and Richard the Second.

Rioulf, Earl of the Cotentin, now commenced open war against the duke, and, marching to Rouen, laid siege to the capital of Normandy. The popularity of William was sunk to the lowest ebb, though Wace does not account for it, but he says that he was abandoned generally by the people, and by all his barons, except three, whom he calls Hanlet, Bernart, and Boton. The duke is totally dispirited, and gives himself up to despair. Boton plainly calls him a coward, (*cuart*), and Bernart reproaches him with equal severity. The blood of his ancestors is warmed by these invectives, and he determines to defend his ducal crown at the point of the sword. Accompanied by his three faithful barons, and three hundred cavaliers, he sallied out of the gates, and gained a complete victory without losing a man, as Wace declares. Rioulf was nearly taken prisoner, but escaped into a wood, when all further pursuit was abandoned. Our author tells us that the scene of this action was called, in his life time, "*Pré de la Bataille*," and it preserved that name long afterwards. Up to the close of the eighteenth century, the meadows adjoining the western boulevard of Rouen were known by the appellation of "*Pré de la Bataille*."

No sooner was this victory achieved, than William received the joyful intelligence that his mistress, Sprote, had been safely confined of a son, at Fecamp, who afterwards became duke Richard the First. These two events, the defeat of Rioulf, and the birth of Richard, seem to have occurred in the year 933.

Louis d'Outremer, or, Louis beyond the Sea, son of Charles the Simple, was so called, because he lived in England, the French barons refusing to acknowledge his title to the throne. According to Wace, the king of England solicits the interposition of William to reseal the exiled prince on the throne of his ancestors. To this request the Duke of Normandy consents, and our author states that he succeeded in this negotiation, through his influence with Huon, or Hugh, the most powerful of the French nobility. But, as a matter of authentic history, it does not appear certain that the Duke of Normandy effected this restoration. The Norman historians generally, as well as Wace, seem to be misled by confounding the name of William Duke of Normandy, with that of William, Archbishop of Sens, who was chiefly entrusted in this affair by Hugh the Great, of Paris.

However, this may be, the duke invited all the French nobility to a grand festival which was held at Lions-la-Forêt, distant seven leagues from Rouen, in the department of Vexin, in Normandy. It was here that Henry the First died in 1135. Among those who were present at these rejoicings was

William, Earl of Poitiers, surnamed "*Tête d'Etaupe*," who succeeded his father Ebles, the second of that name, about the year 935, and died in 963, in the abbey of Saint-Maixant. He falls in love with the duke's sister, and demands her hand, which leads to their marriage. In the "*Roman de Rou*," Wace calls her "Elbore," but in his "*Chronique ascendante des Ducs de Normandie*," this princess is named "Gerbot." William of Jumieges calls her "Gerloc." Her true name, however, was Adèle. She it was who sent her brother twelve monks from the abbey of Saint-Cyprien, to repeople the monastery of Jumieges.

At this time, *Louis d'Outremer*, now king of France, under the title of Louis the Fourth, was embroiled with his principal barons, who laughed his authority to scorn, razing his fortresses, and conspiring to dethrone him. In these difficulties, he seeks the alliance of the Emperor of Germany, called by Wace, "*Henris l'Allemand*," and known in history as "*Henri l'Oiseleur*," or Henry the Fowler. But here our author is in error, for this Henry died in 936. In the whole of this part of the narrative, the facts are strangely distorted, Wace having followed the faulty statement of Dudon, of St. Quentin. It is true that William had an interview with Otho, the successor of Henry, in 938, and that *Louis d'Outremer* came to Rouen in 942; but these are the only two facts which at all correspond with the accounts of the Norman chroniclers, and that of Wace. He says that Henry the Fowler refused to negotiate with the king of France, unless the alliance requested was approved of, and guaranteed by the Duke of Normandy; on this, *Louis d'Outremer* went to Rouen to consult with William, and Henry sent an ambassador. After some interviews, William and Louis went personally to the German prince, and then the alliance was concluded.

When Louis returned from this journey, he received intelligence that his queen was the mother of a son. She was a daughter of Henry the Fowler, and called "Gerberge of Saxony." She was married in 940. This child was born at Laon, called by Wace, Monleum, because the town was built on an eminence. Louis requests William to stand godfather to the infant, and give him the name of "Lohier." The duke consents, and this infant is historically known as Lothaire, born at Laon, in 941.

William then returns to Rouen, where he was received with the loudest demonstrations of joy and applause. After a short sojourn in his capital, he repaired to Jumieges to see if the abbey, which had been formerly destroyed by Hastain, had been rebuilt. The abbot was named Martin. He was one of the monks who came from St. Cyprien, in Poitiers. Mabillon fixes their arrival and the rebuilding of the abbey in the year 940. Dudon of St. Quentin and William of Jumieges, narrate the conversation which passed between the duke and the abbot in the same manner as Wace; but where our author states that William refused to partake of the hospitality of the monks, he has exclusively followed Dudon; and in this particular he differs from William of Jumieges, who certainly ought to be most depended on in the recital of whatever events regarded his own convent. And, moreover, the general traditions of the abbey accord with his statement.

Wace tells us that William expressed a wish to the abbot to become a monk, that he might repent of his numerous sins, and work out his salvation. Against this, the holy man energetically protests, and says that the duke ought to wear no other dress than that of his father Rollo. But William is resolute, and thus assigns his reasons for this singular determination :

Dam Abé, dist li dus, voil moigne dévenir,
La vanité du siècle voil tote deguerpir, (1)
Li pécheiz ke fex al voldroie espénér (2)
Quer hom ki vit en siècle ne se pot astenir
De péchier, de jurer, de trichier, de mentir,
De boire, de mengier, de néer, (3) de mentir,
E d'autres males asez par kel j'en creins périr.

Vers. 2475.

(1) Tout abandonner.

(2) Expier.

(3) De nier.

The abbot, however, remains inflexible in his objections, and the duke is equally obstinate. The monks then offer William some refreshment, but he refuses either to eat or drink, and, shortly after this interview, he falls dangerously ill, having exhausted his strength by a too rigid abstinence from food. When reduced to this condition, William calls to his presence his most attached barons, and communicates to them his anxious desire to be admitted a monk into the abbey of Jumieges. He next entreats them to acknowledge Richard as his successor, and in compliance with this request, they swear homage and fealty to the young prince. Wace then draws the following portrait of Richard the First:

Richard sount en Daneiz, en Normant parler;
 Li poill aveit anqs (1) rous, le vis (2) apert è cler;
 L'altrui sount è li suen bien prendre è doner;
 Une chartre sount lire, è li parz deviser,
 Li pere l'out bien fet dudre è doutriner.
 De tables è d'eschez sount compaignon mater;
 Bien sount paistre un oisel è livrer è porter;
 En bois sount cointement (3) è berser (4) è venger, (5)
 As talevas (6) se sount bien couvrir è moler, (7)
 Mestre pié destre avant è entre d'eis dobler;
 Talons sount remuer è retraire è noxer,
 Saillir deverz senestre è treget (8) tost geter;
 C'est un colp damageux ki ne s'en seit garder,
 Mais l'en ne s'i deit mie lungement demorer.

Ver. 222.

The reader will have observed, with some degree of astonishment, in the first line of this portrait of Richard, the expression, "*en Normant parler*." Many may entertain doubts as to the correctness of the text, or even persuade themselves that, at a period so near to the establishment of the Northmen in Neustria, the "Normant" was an idiom of the ancient language that they had brought from Scandinavia. But this would lead to a serious error, which we must endeavour to remove. The amazing rapidity with which the Northmen abandoned their native language, their modes of living, and the religion of their ancestors, is a curious and interesting fact. We are not aware that history furnishes a second example of a metamorphosis so sudden and so complete among a people already possessing some of the arts of civilization, and stamped with a moral physiognomy so marked and vivid.

Notwithstanding the frequent communication that took place during a whole century with the mother-country, it does not appear that any monument, any inscription, any writing, any tradition, or any belief, ever existed in the province of Normandy, of pure Scandinavian origin. From the reign of the successor of Rollo, the French language alone was spoken at the ducal court; and that prince, in order that his son, Richard the First, might learn Danish, was obliged to send him to Bayeux, where the language of the conquering nation still prevailed over that of the conquered. This circumstance, recorded by Dudon of St. Quentin, book fourth, page 112, and also noticed by Benoit de Sainte-More, in his "*Histoire des Ducs de Normandie*," accounts for so many words of Danish origin still subsisting in lower Normandy, and particularly in the environs of Bayeux, while scarcely a trace of them is to be found in other parts of the province.

It is then certain, that when Wace tells us that Richard could speak "Normant," we must understand this word to mean "*la langue romane*," the "romance language," or the dialect of the ancient poets, or *trouveres*, of Normandy. Our author himself had good right to claim this honour for his countrymen, he himself composing in this idiom, and on account of the great favour shown to this race of bards by their dukes, particularly Henry the First, and Richard, Cœur-de-Lion, the latter of whom courted the muses with eminent success. The encouragement that the *trouvers* received in Normandy contrasts strongly with the neglect they received from the kings

(1) Aussi. (2) Le visage. (3) Habilement. (4) Tirer de l'arc. (5) Chasser.

(6) A sort of buckler. The expression "*se talevasser*," is still used in some parts of Upper Normandy, to express the action of persons who thrust against each other with violence. "*Talevasser*" literally means, to push buckler against buckler.

(7) S'efforcer.

(8) Espèce de fronde.

of France at this period, not one of their cotemporary monarchs giving them the least patronage. It is probable that the expression "Normant," applied to the romance language, took its origin in England, where, after the conquest, it is natural to suppose that the victorious party would introduce their favourite ballads.

The next event to which Wace slightly alludes is the civil war that broke out at this period in Denmark, Suenon having revolted against his father, Heroult, the reigning king. The old monarch is forced to quit the country, and seeks a refuge in Normandy. M. Depping, in his "*Histoire des Expéditions Maritimes des Normands*," vol. ii. pages 162 and 222, discredits the whole of this narrative, and it is, moreover, certain that Suenon was not born at the date fixed upon by the Norman chroniclers, as the period of his revolt against his father.

We now come to those transactions which terminated in the death of William Longsword. Herloin, the second of that name, Earl of Ponthieu and Montreuil, succeeded his father Helgaud, also the second of his name, in 926. He was brother-in-law of William, by his marriage with Alix de Vermandois, eldest sister of the Duchess Leutgarde. He had an enemy in Arnoul the First, surnamed the Old, Earl of Flanders, who succeeded his father, Baldwin the Second, about the year 918, and who died on the 27th March, 966. This Arnoul seized on the castle of Montreuil, in Picardy, near the river Canche, distant eight leagues from Boulogne. Herloin was not able to recover this fortress from his powerful opponent with his own forces, and applied for assistance to Hugh the Great, Duke of Paris, whose name we have already mentioned. Here he met a refusal, Arnoul being the friend of Hugh, who, however, told Herloin, that he would not take any offence, if he could get aid from some other quarter. On this he applied to the king of France, then Louis d'Outremer, from whom he received exactly the same answer. Thus disappointed, he next solicited the protection of the Duke of Normandy, who, compassionating his misfortunes, summoned his chiefs together, and they resolved to lay siege to Montreuil.

The Flemings determine to resist the army of William, but the contest is short and decisive. The duke harangues the "Cotentinois," the inhabitants of the district still called the Cotentin; he compliments them on their valour, and pronounces them the bravest of his subjects. To them he assigns the post of honour, and leads them to the assault. Eager to deserve the praise conferred on them, they rushed on the enemy with irresistible impetuosity, and got full possession of the town and the castle. William generously offers to restore Montreuil to Herloin without any indemnification, but Herloin, with equal liberality, refuses to accept, and begs the duke to retain it for himself, saying that he is too feeble to defend it with his own troops. But the Norman prince insists on giving back the place, and promises to come again to his succour, should the Flemings venture to attack him. He strengthens the fortification, builds a higher wall, and widens and deepens the ditch, and erects, what Wace calls, "*De pel à hérichon*," which seems to have been a sort of "*chevaux de frise*." After performing these friendly offices, the duke returns to Normandy, and repeats his wish to become a monk, and pass the remainder of his days at Jumieges; but his barons still refuse their consent.

Arnoul, Earl of Flanders, breathed vengeance against William for having aided Herloin in the recovery of the castle of Montreuil, but being aware that he could not satiate his fury by an appeal to arms, he contrived a scheme for his assassination. He sent deputies to Rouen to solicit a treaty of perpetual peace, and requested the duke to meet him at Amiens, there to settle the terms, pretending that he was unable to travel on account of the gout, for so we translate the expression of Wace, which is "*poscre*," an evident corruption of the Latin word "*podagra*," which signifies the gout. To this request the unsuspecting William consents, and repairs to the place appointed; but on his arrival, he receives a message from Arnoul that he is at Pequigny, a small town on the river Somme, distant three leagues from

Amiens. In the middle of this river was a small island, and thither the treacherous Fleming decoyed the open-hearted Norman. He had selected four of his companions to perpetrate the meditated murder, whom Wace calls Rioulf, Robert, Henris, and Fauces. Dudon and William of Jumieges, however, give different names to the accomplices of Arnoul. The former styles them thus: *Eiricus, Balzouque, Rotbertus atque Ridulfus perfidi*: the latter, *Henricus, necnon Balso, Robertus quoque, atque Ridulfus*. Wace also differs from his two usual guides in another particular; for he says that this Rioulf was the same who had been defeated by William before Rouen, as already narrated, and that Fauces was his nephew; but neither of the old chroniclers say a syllable on this head.

William landed on the small island, accompanied by twelve of his attendants. He was there received by Arnoul, who personally begged the treaty of perpetual peace, which William granted. He then made the most solemn protestations of fidelity and honour, after which he took his leave. William was about to embark in another boat, when Fauces ran down to the shore, and pretending that he had some important intelligence to communicate privately, induced the duke to remain alone, after desiring that the boat might shortly return for him. No sooner were his attendants departed, than Fauces came behind him, and raising a naked sword which he had concealed under his mantle, clove the duke's head in twain. The other three then struck at him, and he died without uttering a word, as Wace thus describes the closing scene.

Alas! kel felonie! Dex! porkel retorna!
 Fauces leva l'espée ke soz sez peaux (1) porta,
 Tel l'en dona en chief ke tot l'escervela;
 Li ultres treis férèrent, è li Dus treabucha.
 Quant il l'orent ociz si ke mot ne suna. (2)
 Arrière (3) s'en alèrent, et Ernouf se hastà;
 En lor bastel (4) entrèrent, si passerent dela.

This assassination took place on the 20th of December, 943, according to Dudon of St. Quentin; on the 17th of the same month, according to William of Jumieges; and on the 18th of December, 942, according to the second epitaph on the duke's tomb. Frodoard, a contemporary historian, appears to decide the question in favour of the two Norman chroniclers.

The body of William is recovered by his followers, who carry it to Rouen, where it is interred in the cathedral.

Our next notice of the Roman de Rou will treat of the ducal reign of Richard the First, son of William Longsword, and his mistress, Sprote.

(1) Ses habits garnis de peaux, ou ses habits de bouffie.

(2) De sorte qu'il ne sonna mot.

(3) En arrière.

(4) Batcau.

THE HOUGUE-BIE, JERSEY.

I HAVE often visited the Hougue-Bie, at various hours, and in various seasons, and I have never derived so much pleasure there,—my mind has there never rebounded with more joy, than during a still summer's evening, when the sky was pure and serene, when the winds had ceased to blow, and the gentle zephyrs were scarcely felt. I have beheld scenes in other lands more grand, and of more "solemn loveliness," but that does not diminish the pleasure which I feel in beautiful scenery of a less character; for, a love of "nature's charms" is a growing passion, which is always gratified in their presence, though varying in degree and intensity. I am persuaded that much of the happiness of human life would be alleviated and lessened, if a proper spirit were cultivated, and a disposition to seize on those quiet and ennobling enjoyments which scenes in nature afford; some of which at times seem to proclaim with an audible silence, that man should be happy.

“There are moments which are worth years,” says Wordsworth; and with how much truth; and how many of those moments will not the beauties of nature afford us. We shall, after a slight, but proper experience find,

That pleasure is spread through the earth
In stray gifts to be claimed by whoever shall find,
And a rich loving kindness, redundantly kind,
Moves all nature to gladness and mirth.

There is something in beautiful scenery which speaks to the heart, something congenial to its nature and to that of the soul; the spirit of peace breathes around, and angry passions fly. We forget the past and even the present; we mingle with the universe, and we partake of the universal calm in which nature is enveloped. No images but those of peace present themselves to the mind; no other ideas, but those of happiness. From the top of the tower on the Hougue-Bie, on a still summer's evening, every cottage and every hut appear to be the abodes of bliss, for

The smoke ascends
To heaven as lightly from the cottage hearth
As from the haughty palace;

we cannot conceive that misery can dwell in spots which nature has rendered so beautiful; for the cottage, however humble, harmonizes with the scene; the old walls, the small old-fashioned windows, the dark brown thatch—all these embosomed in the midst of trees, of varied hues of green; fields occasionally presenting themselves with much coyness, as if not desirous to be seen; the road meandering in the midst, losing itself for a while, and again re-appearing in the distance to lose itself once more; the steeples of different parish churches, pointing to heaven—all this affords a view at once delightful and attractive. But this is not all. The stately and romantic castle of Mont Orgueil, reposing after ages of turbulence, rises before us, and the French shore is separated from the island and the castle by the sea, here appearing, when the atmosphere is clear, as a “wide expanding river.” for the distance from shore to shore is only fourteen miles. ‘You may perceive the sandy hills of France bounding the view, and the smoke rising there, either from the houses or the fields, and a few white sails of boats on the smooth surface of the sea.

The Hougue-Bie consists of a great artificial heap of earth raised in a conical shape; and, on the top of this mound is, what is called, the tower, which was formerly a catholic chapel. It is a fine object from a distance, for it peers above the lofty trees surrounding the base of the mound, and is, in some parts, nearly to the top, embraced by luxuriant ivy. The Hougue-Bie has its fable and its history, to which I shall now allude. It is said, that anciently a huge serpent, which infested principally the marsh at St. Laurens, occasioned many damages in the island, and frequently wounded the people. The Seigneur de Hambye, on the neighbouring coast of Normandy, hearing of this circumstance, was moved with a desire of acquiring fame and glory, by attacking and destroying this enemy—the terror of the inhabitants. He, accordingly, came over with a single attendant, and succeeded in killing the serpent. But the servant, jealous of the renown which his master would obtain in his country by this feat, and wishing to reap all the credit for himself, murdered the seigneur, buried his body, and returned to France. There must have existed but very little communication at that time between Jersey and the neighbouring shores, for this servant persuaded his mistress that her husband had been killed by the serpent, which he, inspired by a keen desire of revenging his master's death, succeeded in slaying; and that the last expressed will of the lord was, that his lady should espouse so faithful a servant; which she, from the love which she bore to her deceased husband, scrupled not to obey. But to the guilty mind there can be no rest—no happiness. Even in his sleep the new lord was agitated and disturbed, and would often exclaim, “Oh! miserable man that I am—to have murdered my master.” She frequently informed him of the subject of his dreams; but, as these continued, she suspected he was not altogether innocent; she

communicated her fears to her friends; the man was tried at court, and found guilty of murder. In remembrance of her former lord, she caused a circular tomb or heap of earth to be raised on the spot where he had been killed, and which could be seen from the estate de Hambye. This tumulus was called Hougue-Bie or Hougue-Hambye, from two words, the Hougue meaning the tomb, and the other the name of the deceased lord;—thus signifying “the tomb of de Hambye.” Whatever appears fictitious in this story may be left unnoticed; but it would seem very probable that this tomb was raised, in accordance with a custom borrowed from the Celts, over the body, or in memory, of a Seigneur de Hambye—no doubt a great man in his day, though unknown in ours.* “The chiefs of other times are departed,” sings Ossian. “They are gone without their fame. The sons of future years shall pass away. Another race shall arise. The people are like the waves of the ocean, like the leaves of woody Morven, they pass away in the rustling blast, and the leaves lift their green heads on high.”

Ideas of religion have mainly contributed towards the care, the regard, and the respect, which nations have paid to the dead. The belief which has been entertained of the immortality or duration of the soul, the means whereby its existence could be prolonged in a future state, and whereby its future happiness could be attained, have had a powerful influence in directing attention to the dead. In Thebes, in Egypt, the monuments for the dead surpassed in expense, in greatness, in grandeur, those for the living, if we except the temples of the gods, or the palaces of the kings. With the exception of these, the ruins of no habitations are found; they have all been swept away “with the besom of destruction.” Not so the sepulchres of the dead. The massive, the mighty pyramids, which have endured, while nations and kingdoms have passed away, which appear erected for an eternity, and have always been numbered among the wonders of the world, were a sepulchre of some of the kings. Others of these sovereigns had sepulchres in the rocks, cut out and finished at an enormous expense. There were long passages, intersected by deep pits, leading to several rooms, to be traversed before reaching the funeral apartment in which was deposited the royal corpse in a splendid sarcophagus, around which, and on the walls of the room, was much writing in hieroglyphic characters, containing, no doubt, a history of the deceased prince. The entrance to these caves was dangerous and difficult of access; and the bodies of the Pharaohs have rested in peace for three thousand years, till, in these times of degeneracy and spoliation, their silence has been disturbed, and the hand of violence has seized upon, and taken possession of, the royal sarcophagus and corpses; and the body of king Amenophis the Second, and his oriental alabaster sarcophagus were removed by Belzoni, and are now in the British museum—objects of public curiosity. The bodies of the dead were always embalmed in Egypt, and those of the people deposited in catacombs. All this care bestowed upon their dead, arose from a belief that the existence of the soul depended upon the duration and preservation of the body: and, therefore, that if their bodies could be preserved eternally, an eternity of existence awaited their souls.

Among the Greeks and Romans, although they often burned their dead on the funeral pyre, there was a general opinion that the soul was unhappy and tormented in Hades, till some friendly hand threw earth on the dead body, or raised a tomb or tumulus, i. e. a heap of earth, over it, or in memory of it. In the *Æneid*, we find *Æneas* raising a tumulus or barrow to *Polydorus*,

*Ergo instauramus Polydoro funus, et ingens
Aggeritur tumulo tellus.*

Lib. 3. r. 61.

and the reason why that particular care should be bestowed on the dead, we learn from the words of the virgin in Hades to *Æneas*,

*Hæc omnis, quam cernis, inops inhumataque turba est:
Portitor ille Charon: hi, quos vehit undata, sepulti.*

* There was a Seigneur de Hamble, who accompanied Robert, Duke of Normandy, to the Holy Land, who was doubtless of the same family, and from the same estate, as the one who was buried in Jersey.

Nec ripas datur horrendas, nec rauca fluentes
Transportare prius, quam sedibus ossa quiderunt.
Centum errant annos, voltantque hæc litora circum :
Tum demum admissi stagna exoptata reuolant.

Lib. 6. v. 331.

and the son of pious Anchises, meeting with the unhappy shade or spirit of Palinurus, consoled him thus :

Tu Stygias inhumatus aquas amnemque severum
Eumenidum aspicias ! ripamve injussus adibis !
Desine fata deum flecti sperare precando.
Sed cape dicta memor, duri solatia castris :
Nam tua finitimi, longè latèque per urbes
Prodigiis acti celestibus, ossa plaubunt,
Et statuunt tumulum, et tumulo solennia mittunt.

Lib. 6. v. 381.

The Celts or forefathers, whose ideas of disembodied spirits bore a strong resemblance to those of Greece and Rome, also raised tumuli over the dead. There were two particular kinds of tombs among the Celts—the barrow and the cairn, or, as it is called in Brittany, the lalgal. The former was composed principally of earth raised in a conical heap, and the latter of large pebbles also raised in a conical form. Of the latter there are several in Scotland, and one between Westmoreland and Cumberland, called Dunmail Raise, supposed to be over the body of Dunmail, a petty king of Cumbria. It was usual, in those early times, as a token of respect and of sorrow for their death, for each person passing by, to throw a pebble on the heap over the corpses of illustrious dead. Many walls have been built in the neighbourhood of Cairns with some of the pebbles of which they were composed.

In Jersey, I am not aware that there are any cairns ; at least I have found none, and heard of none ; but there are barrows which are here called Hougues. Barrows were seldom so elevated as the Hougue-Bie, which is not Celtic, but they were usually from six to thirty feet high. There are in the Channel Islands other Celtic monuments—appertaining to the religion of the Druids, which it is foreign to my subject to enumerate. Besides these, there are traces of superstitious ideas, similar to those in lower Brittany, drawn from the same Celtic source. I would simply notice the existing tradition of the former existence in Jersey, of *faiseurs* or diminutive fairies, which are of the same family as the Poulpiquets of lower Brittany—a people of a very short stature, very strong, and friendly to man. Their wives, called Boudiquets, were also very short, but they were very fine women. In Brittany, the traditions concerning the Celtic mythology are closely connected with their monuments ; in Jersey they are not ; which is, perhaps, to be ascribed to the great change which the conquest of the island by the Normans, and the march of time, have produced in the ideas of the people ; which, in lower Brittany, from their peculiar isolated situation, has not taken place in the same degree. For, in that country, even the Celtic language is still spoken—it is their national tongue ; and the monuments of the ancient people of Armorica are very numerous, and of great variety. At the distance of about a quarter of a league from the village of St. Nolf, is a barrow, which, it is said, was in times past, a palace of the Poulpiquets, who, singularly enough, had burrows in it like rabbits. In the village of Coët-bihan, is a monument consisting of four barrows, placed, as it were, at the four angles of a square, and whose bases, within the square, adjoin each other. This monument is called the "*Château des Poulpiquants* or *Poulpiquets*." This people were a more gentle and amiable class than the Daoine Shi, or "men of peace of Scotland," so called, not from any thing peaceful about them, but from the fears of the people, who durst not offend them in any thing, not even in name. Whenever any of the inhabitants of the district of St. Nolf had lost any thing, they went to the palace or residence of the dwarfish fairies, and said, "Poulpiquets, I have lost such an object." Their prayer was heard by the good-natured people, and the next morning the lost articles were found at the door of the owner's house. I am not sure if this was the case in Jersey ; but, usually, whenever any of our forefathers or foremothers left any thing undone before retiring to rest, which they were very anxious to see accom-

plished, a kind-hearted fairy would finish it during the darkness of night, and the good people of the house found it all ready and completed on the morrow when they arose; so they could tell, with gratitude to the fairy,

How in one night, ere glympse of morn,
His shadowy fall had threshed the corn
That ten day-labourers could not end.

The fairies of Brittany, as those of England, were fond of dancing; but it was around the consecrated stones, or the monuments of the Druids; and according to a tradition, in the Morbihan, and other parts of Brittany, if they saw any human being, while engaged in their moonlight dance, they seized upon them by the hand and compelled them to join in their roundelay, but left them quite exhausted when they ceased their hold. We here perceive how their popular superstitions were connected with the Celtic religion, or with its monuments. In Jersey, as I remarked, the tradition differs a little on this point, but our *faiteaux* had much to do with the building of Christian churches, for it was by the fairies that the stones, required for the erection of St. Brelade's church, are said to have been carried over the hills to the precise spot required. This may lead to an observation, well supported by facts, that one effectual though slow method which was adopted to supplant the religion of the Druids by Christianity, was the building of Christian churches near the spots rendered sacred by the old religion, and gradually to wean away the hearts of men from the one to the other. Thus the Celtic fairy gives her assistance to the building of a church, in St. Brelade's, for a religion which must overthrow her own, or to which she must conform; one of the country parochial churches, in Guernsey, the Câtél, is built near a Druid's altar, which lies in the church-yard; in the Morbihan, is an old chapel, in the vicinity of a "manor of the Poulpiquans," and the cathedral of Nantes was built on the ruins of a temple of the Druids dedicated to their god Bouljanus.

I hope to be excused for my digression concerning fairies, which has imperceptibly resulted from my subject; but they are a people for whom the lively imagination feels a strong regard: indeed, "the fairies," says truly Sir Walter Scott, "as received into the popular creed and described by the poets who have made use of them as imagery, are among the most pleasing legacies of fancy." The character which Sir Walter gives to the southern, coincides with the traditions here of the Jersey fairies. I shall quote his words. "The amusements of the southern fairies were light and sportive; their resentments were satisfied with pinching or scratching the objects of their displeasure; their nicety was extreme concerning any coarseness or negligence which could offend their delicacy; and I cannot discern, except, perhaps from the insinuations of some scrupulous divines, that they were vassals to, or in close alliance with, the infernals."

Let us remember, with some satisfaction, alacrity, and glee, concerning our own fairies, that

At morning and at evening both,
They merry were and glad,
So little care of sleep and sloth
Those pretty ladies had.
When Tom came home from labour,
Or Cis to milking rose,
Then merrily, merrily, went their tabor,
And merrily went their toes."

I do not know that we can adopt the two next verses as entirely applicable to our own fairies, though in some measure we may; but I must add them.

"Witness, those rings and roundelays
Of theirs which yet remain,
Were footed, in queen Mary's days,
On many a grassy plain;
But since of late Elizabeth,
And later James came in,
They never danced on any heath,
As when the time hath bin.

By which we note, the fairies
Were of the old profession,
Their songs were Ave Marias,
Their dances were procession.
But now, alas! they all are dead,
Or gone beyond the seas;
Or farther for religion fled,
Or else they take their ease.

But I must conclude this article, though I confess, that, to part from so goodly a company, I feel rather loath. L. Q.

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.—No. 4.

(Continued from page 352.)

THE detention in Castle Cornet of Peter de Beauvoir, James de Havilland, and Peter Carey, who had been perfidiously betrayed into the power of Sir Peter Osborne, as stated in our October number, excited great uneasiness and consternation throughout the island. Of this event we possess a full and circumstantial account, and, though most of the particulars have already appeared in print; yet we are not aware that they have yet been so copiously and minutely reported as they deserve. We have, therefore, determined to give the statement of the captivity of these three gentlemen at length, and though this may be the reverse of novelty to some of our Guernsey readers, we crave their indulgence for the sake of our English subscribers, among many of whom we can with truth affirm that these "Historical Notices" have excited the liveliest interest, as they have discovered to their astonishment that the Channel Islands are something more respectable than mere rocks.

On Saturday, the 21st October, 1643, about ten o'clock in the morning, Captain Bowden arrived in Guernsey roads with his vessel, and having dropped his anchor, he sent his boat into Fermain bay, manned by ten or twelve of his sailors, where they were received by the Lieutenant Governor, the Parliamentary Commissioners, and other persons drawn to the spot from curiosity. The coxswain of the boat presented a letter addressed to the Lieutenant Governor and the Parliamentary Commissioners, by Captain Bowden, who requested them to come on board his ship to confer with him on different affairs which concerned the public welfare, as he was instructed to do by the orders of the Earl of Warwick, the governor, Bowden pretending that he was too ill to come on shore. On the receipt of this letter, the Lieutenant Governor sent Captain Thomas Sippins on board Captain Bowden's ship to receive information concerning the state of England, and also to desire him to capture a vessel which had arrived from Weymouth on Wednesday, the 18th of the same month, laden with stores for the victualling of the castle, and which was then anchored near Brehon, out of reach of the land batteries. Captain Sippins, accordingly went on board the *Bramble*, when Bowden told him that he was his prisoner. Fifteen days before, this traitor had quitted Guernsey, holding his commission from the Parliament, when he proceeded to Dartmouth. There he had an interview with Prince Maurice, and attached himself to the king's party, on which occasion he promised to return to Guernsey and surprize the Lieutenant Governor and the Parliamentary Commissioness by stratagem. When Bowden saw that his intended victims were not disposed to accept his invitation, he sent his boat a second time to Fermain Bay, manned as before, and with the same coxswain, who proceeded to the house of the Lieutenant Governor, where Monsieur des Granges and Peter Carey were at dinner, and he delivered a second letter, in which he most urgently required their presence to deliberate on the affairs to which he had alluded in the first. As to the king's vessel, anchored at Brehon, her he promised to capture without any difficulty. Having consulted together, and being most desirous to discharge with fidelity the duties of their trust, Messieurs Des Granges, De Havilland, and Carey, resolved to go on board the vessel, and set out together from the

Lieutenant Governor's residence for Fermaia Bay. On their road, they began to entertain some vague suspicions of treachery, from the hurried eagerness of Bowden, the absence of Sippins, and the refusal of Bowden to come on shore, as he was wont to do. But Monsieur Des Granges, who was much better acquainted with the officers and crew than De Havilland and Carey, assured them of his confidence in their honour and fidelity, and removed all their doubts. Being thus assured, they embarked in one of the boats belonging to the island, and went on board the *Bramble*, where Capt Bowden received them with open arms, and conducted them into the cabin, where they found two other naval captains in the king's service, who showed them their commissions, signed by Prince Maurice, by which they were ordered to reduce the island into submission to his Majesty. They then strongly urged the Guernsey deputies to co-operate with them, offering many advantages if they acquiesced, and threatening the severest punishment if they refused; but they remained true to their duty: notwithstanding, they were treated with every courtesy and respect.

At the approach of night, one of the two captains, named Jones, entered the *Bramble's* boat to go on board the Weymouth vessel, to advise them of their secret intentions, but no sooner did they approach near to her, than they weighed anchor, and set sail for St. Malo, fearing that they were about to be attacked. Being disappointed in this attempt, Jones returned to the ship, and, on his way, met the boat belonging to Castle Cornet pulling up to the *Bramble*, but he sent it back, fearing to excite alarm. Bowden then determined to steer for Jersey, in the hope of entrapping the lieutenant governor and the parliamentary commissioners of that island; but the lieutenant governor of Guernsey, being now convinced of his treachery, dispatched a boat on the same day that Monsieur Des Granges, and his two companions were made prisoners, both to Jersey and St. Malo, to put the parliamentarians on their guard.

On the following Tuesday, the *Bramble* returned to Guernsey with a white flag flying at her stern, and anchored under the cannon of Castle Cornet, when Captain Bowden sent his boat to Sir Peter Osborn, advising him that he had his prisoners on board. After sunset, Bowden himself went to the castle, accompanied by Captain Simpson, and both of them were made welcome, particularly on account of their prisoners, whom Sir Peter insisted on being delivered into his custody, as their detention in Castle Cornet would greatly facilitate the reduction of the island. The two captains remonstrated against this, for the prisoners had promised them fifty Jacobuses, if they would land them at Dartmouth. Sir Peter, however, was determined, and the two captains returned to the vessel about midnight, in very bad humour, particularly Simpson, whom Sir Peter had not treated with that deference to which he felt himself entitled, as one of the king's naval officers.

On Wednesday, the 25th October, Sir Peter Osborn sent his boat to the *Bramble*, manned by seven or eight rowers, under the command of John Chamberlain, and between nine and ten at night the three prisoners were embarked and landed on the eastern side of the castle, being compelled to ascend a ladder thirty two feet high, to reach the ramparts, where they were received by the portier, attended by forty armed men, and ten to twelve who were unarmed, among whom were the sons of Sir Peter Osborn, the chaplain, and Mr. Andros. They were then marched to the front of a window, whence Sir Peter and his aide-de-camp, Capt. Durell, enjoyed the sight of their prisoners. Thence they were removed to an apartment in the under-ground dungeons, the lowest but one in the fortress, so damp, that their hair immediately dripped with wet, and into which the light of day could only enter by the key hole. Here they had to pass the night. They were allowed three candles, three hard pillows, and three ragged coverlids, which swarmed with lice, and on these they lay down to sleep. About two hours after midnight, Captains Bowden and Simpson visited them, and when the former saw their miserable condition, whether from

hypocrisy or remorse, he uttered a loud cry and embraced M. Des Granges, exclaiming, "O gentlemen, do I really behold you thus reduced," and then bid them adieu, and quitted the prison with Capt. Simpson.

On the next day, which was Thursday, about eleven in the forenoon, the prisoners received some bacon and peas for dinner, two biscuits, and about a quart of beer; at two o'clock, a large quantity of mouldered cotton was removed from the room above that in which they were confined, after which they were transferred into the upper apartment. It was a great comfort to the prisoners that they were not separated, which they feared might be the case. In the evening they were provided with supper, consisting of pease soup, two biscuits, and a quart of beer. After this they stretched themselves on the floor, the portier having left them twenty bundles of the mouldered cotton, by way of a luxury to warm themselves, and two days afterwards he lent them two bolsters: but after they had enjoyed these comforts during four days, the coverlids were taken away, the governor probably thinking that they might cut them into strips, and make rope-ladders of them. The removal of the coverlids first gave them the idea that their escape was possible.

The vindictive governor was not satisfied with the safe custody of his prisoners, but displayed an ungenerous spirit in the selection of their diet. Of this paltry revenge, we give the following examples. On the Monday they were allowed for dinner two small whittings, half cooked, with a small portion of frozen butter, a quart of beer, and two small biscuits: for supper, a mess of gruel and boiled water for soup, two biscuits, and a quart of water. On Tuesday they had stale peas and rancid bacon, which they sent back with indignation, it being impossible to eat this diet; biscuits and beer were served, as usual: for supper they received some pease soup, with the customary allowance of beer and bread. Wednesday, the same fare as on Monday; Thursday, the same as on Tuesday: Friday, the same as on Monday and Wednesday; Saturday a dish of boiled cheese, with stinking grease; bread and beer, as usual, and supper the same as on Wednesday. On Sunday they were indulged with a piece of salt beef, some rancid bacon, bread and beer, for dinner; the supper was the same as on Wednesday.

But on the fifteenth day of their detention in the castle, the allowance of beer was stopped, after which they only received a pint of Gascony wine daily among the three, with brackish water, and sometimes rain water saturated with lime, caused by a cannon ball which had been fired at the fortress from the land battery, called "*La Roque des Chevres*," which knocked down part of the wall into the cisterns, which water they were obliged to quench their thirst with, which was more than usually intense on account of the salted provisions they were compelled to eat. This diet gradually affected their health, and their strength began seriously to be injured, for they were not able during a month to take a sufficient quantity of liquid. Mr. Peter Carey suffered more than his two associates, and so intense was his thirst, that he was obliged to write a note to Sir Peter Osborn, praying for an allowance of beer, on account of the very serious illness he had experienced during ten days. To this the governor consented, and ordered him a pint of beer for each meal. After this time, Captain Durell lent them a bed, mattress, sheets, and counterpanes.

Ten days after their incarceration, Mr. De Havilland proposed that they should make an attempt to escape through the window of their apartment by the aid of the cotton twisted into ropes, but on this scheme they did not immediately resolve. But, after having fervently implored the protection of Providence, they determined to make every effort, and incur every risk, to carry this design into effect; and having thus made up their minds, they regretted not having concealed ten or twelve bundles of the cotton which had been left in their room to sleep upon, when they were first confined, in an old box, full of flax. What they regretted, however, proved their preservation, for had they done so, their plan would have been detected and frustrated, as, in about six days after they had determined to hazard the attempt, the flax was emptied, and the box removed.

Another circumstance shortly occurred, which damped their spirits, and rendered every prospect of success, for the moment, hopeless. The portier put a strong iron grating before the window, through which they at first thought it impossible to pass; but, after having tried its dimensions one night, they found that their heads would pass through the bars, and this discovery redoubled their resolution. They commenced their operations on Thursday, the 23rd of November, 1643, by cutting through the floor with their knives; at this they worked about three hours daily, one of them keeping watch while the other two laboured, and the following Monday, they finished this part of their undertaking, and replaced the surface of the boards so exactly that the keeper did not perceive any alteration, when he brought them their meals. On the same day, they made two small holes in the plastering, to ascertain if they had cut straight over that part of the lower room, in which the cotton was deposited, to see if they could reach it, and the result was satisfactory; in half an hour afterwards, the portier and several soldiers opened the door of the lower room, which greatly alarmed the prisoners, lest they might perceive the holes made in the plastering, some particles of which had fallen down; but fortunately no alarm was excited.

On the Thursday following, being the 30th of the month, when it happened to be new moon, about three o'clock in the afternoon, they broke the plaster, and through the aperture they had made, they drew up from the lower room about fifteen bundles of the old cotton, part of which was sound, the remainder rotten; this they effected by cutting off a slip of soft deal board, which was nailed to the head of the bedstead, and fixing to the end of it a tenter hook, which they luckily found in their room. They concealed the cotton under their bed until after supper, when they commenced twisting it into ropes. The first they made of three coils, and about twenty fathoms long, to enable them to descend from the window to the base of the dungeon. The second of two coils, and ten fathoms long, was to be used in dropping down the first wall: the third, also of two coils, was to serve for their descent down the last wall. These ropes were completed at about eleven o'clock, at which time, after having implored the protection of God, they proposed to commence their hazardous experiment; but the stillness of the night rendered the attempt imprudent, and the atmosphere was so clear that the prisoners could distinctly see the sentinels in every direction; so that escape would have been impossible. The tide having now begun to rise, which, at low water, leaves the space between Castle Cornet and the main land quite dry, they were obliged to conceal their ropes under their beds and retire to sleep, not without great regret, they being apprehensive that some one might enter the lower room, and discover that the cotton had been abstracted; but Providence willed it otherwise. On the following night they entertained sanguine hopes of carrying their design into execution, but it was as clear as the preceding one, and therefore equally unfavourable.

On Saturday night, at low water, they made preparations for lowering their first rope, the opportunity being favourable, on account of the dense obscurity of the night. But they were again disappointed, for, on a sudden, the portier awoke the soldiers, and doubled the guard, he expecting that Mr. De Sausmarez, and two captains of the king's ships, which were stationed at Pereche, would arrive that night at the castle. He placed a guard at the half moon under their window, close to whom they would have been obliged to pass. This caused the prisoners bitter grief, and entirely destroyed their hopes, as the tide was rapidly rising, and they retired to bed in the greatest state of perplexity.

On the Sunday morning, the 3rd December, the weather was remarkably serene; at about ten o'clock, they saw, from their window, the two king's ships approaching the castle. Mr. De Sausmarez, who embarked in one of the boats, arrived about noon at the fortress, when he was joyfully received, and saluted by the loud acclamations of the soldiers, who hoped, by the aid of

these vessels, to obtain easy possession of the island. The prisoners themselves entertained the same opinion, on account of the great dissensions that prevailed among the inhabitants, of which they had a full knowledge; and their feelings were so overpowered, when they reflected on the unhappy condition of their native land, that they wept bitterly. M. Des Granges was the first who proposed attempting to escape by the lower gate, but this proposition was not immediately adopted, the difficulty appearing to them insurmountable by mere human exertions; nevertheless, after dinner, recommending themselves to the merciful care of God, they all three determined to hazard the chance. They immediately took their ropes from under their beds, and fastened one to a pillar, which was in the middle of their room: they then passed an end through the aperture they had made in the floor, and slid down into the lower room, where they listened, and heard the tramp of soldiers all around them. They were not, however, discouraged. Mr. De Havilland took up a bar of iron, which was there, and began to bend the cramp iron of the lock: this was done at the moment that the bells of the town church had ceased ringing for evening prayers. M. Des Granges, going out to look over the wall, to see if any person was on the platform of the tower, called Carey Tower, observed their keeper, Nicholas Stinquer, approaching with his eyes fixed on the ground, which made them retreat to their hole, where, having remained a quarter of an hour, they again sallied forth. Finding the road free, they ran to the first cannon, fronting the West, when having fastened the rope, and M. Des Granges, being the first who was to be let down, he discovered three persons beneath, who were on guard. This compelled them at once to detach their rope. Messrs. Des Granges and De Havilland now thought it prudent to retire to their room, but Mr. Carey prevented them, and induced them to go to the South side of the platform of Carey Tower, from whence they descended the first and second wall, the guards who had been stationed in that quarter having fortunately quitted their post, and retired to a drinking and smoking room, adjoining the garden of the portier. Having cleared the second wall, they ran along the sea-side without any one challenging them. When they had reached about the passage of the neck of the castle, John Chamberlain, who was on his post, saw them, and instantly gave the alarm, crying out, *Fire, Fire, the prisoners are escaping*. Immediately the cannon was discharged, some loaded with heavy balls, others with grape shot, which fell around the fugitives, but providentially without striking them. At a slow pace, (for the swampy and adhesive nature of the ground would not allow of their running swiftly,) they reached the steps of the South pier; where, being recognized, the news of their deliverance was carried to the church, and the whole congregation rushed out to congratulate them on their miraculous escape.

It is particularly remarkable, that the sentinels, posted both at the South-East and South point of the castle, had quitted their guard just before the prisoners lowered themselves down, and had gone to join the sentinels stationed at the West. Had not this occurred, escape would have been impossible. Moreover, as they ran along the platform of the tower, they were seen by a young Norman, who remained silent, thinking that the fugitives were a cousin of his, and two others, who were at that time confined. Nor is it the least curious fact, that, when they were first seen on the castle beach, the guns missed fire six times, which allowed them time to reach the main land. It was fortunate that they escaped when they did, for captain Sippins, who also contrived to get away, declared that Mr. Amice Andros had told him on his oath that, in another half hour, they would have been hanged, and that he had brought an order from the king to that effect, and this statement was verified by other persons to whom Andros had made a similar avowal.

About this time the authorities in Guernsey seem to have been very solicitous for the safety of the small island of Serk, and gave the following instructions to Mr. Peter Carey, who was honoured with this trust:

"We pray you, in the name of the States, to repair to the island of Serk, and
Vol. 2.—No. 6. 24

prevail on the soldiers, quartered there, to continue firm in their duty. Remind them of our solicitude for their welfare, which we have shown by obtaining one hundred crowns for their own use, which shall be paid to them according to their request. You will, moreover, re-establish the general affairs of the island in such manner as your discretion and prudence think fit, so as to create harmony and good will between the inhabitants and the troops, for the benefit and service of the king and the parliament. By so doing, you will greatly oblige your affectionate friends, (Signed) Robert Russel, Josias Le Marchant, Michael de Saumarez, Pierre de Beauvoir, Thomas Carey, John Carey. Dated 10th January, 1644."

This Mr. Peter Carey seems to have been a gentleman of great zeal and talent, and he acted as the chief organ of the people of Guernsey in transmitting intelligence to, and receiving orders from, the government.

At this period, the inhabitants of Guernsey were far from being unanimous in the support of the parliament, and many seditions and mutinies occurred. The commissioners were sensible of the critical position in which they stood, and Mr. Peter Carey was instructed to write to Lord Warwick for assistance, which he did in the following letter :

"My lord,—The great care which it has pleased your excellency to take of this little island being, under divine providence, the cause of our subsistence; and your highness having made known to me the warm affection you feel for our inhabitants, I, therefore, address your excellency with more than usual confidence, entreating you to send some vessels to our aid, to quell a mutiny which commenced before my return from England, on the part of the common people, against your lieutenant and those well affected towards the parliament, and which still continues, and unless speedily repressed, threatens to terminate in very serious consequences. I dare not to speak more openly, or enter into details, lest this letter should be intercepted, as the mutineers desire that your excellency should be kept in ignorance of these disorders." I earnestly implore your excellency to apply a prompt remedy, which will redouble the lasting obligations that all the inhabitants of the island owe to you, and particularly, your very humble servant, PETER CAREY.

To his excellency the Earl of Warwick, grand admiral of England."

This letter is dated February, 1644, but the day of the month is not given.

In the same month, Mr. Carey addressed another letter to his lordship by order of the court, thanking him for having appointed Mr. de Beauvoir, bailiff of the island. It is as follows :

"My lord,—Your excellency has added to the many favours already conferred on us by having nominated Mr. de Beauvoir, des Granges, as our bailiff, who, in times past, has shown himself well disposed to advance the glory of God, and the interests of the States. No doubt but he will continue to merit the esteem of your excellency, and promote the happiness of the island. Earnestly beseeching your excellency to retain Mr. de Beauvoir in his post, and to continue your favours to us all, we remain &c. (Signed) PETER CAREY, for the Ro al Court."

The insurrection, alluded to in Mr. Peter Carey's letter of February, was fortunately quelled in a very short time, as it appears by the following, dated 10th March, 1644, which the same gentleman addressed to Lord Warwick :

"My lord,—I lately had the boldness to acquaint your excellency of a popular sedition directed against your lieutenant, which, God be praised, has been suppressed since my return from England; but our own danger is still imminent, as we cannot reduce into complete submission the leaders of these disturbances, before your excellency has sent us soldiers or ships, waiting which, we will do all in our power, and trust the result to God. Your excellency will recognize the hand of Providence, through whose interposition we have had disclosed to us the pernicious designs of Sir Peter Osborn, by one Richard Robin, when thrown off his guard by drunkenness, as your excellency will be more fully informed by the depositions of the witnesses which will be forwarded to you. I hope that the example to be made of him will deter others from sedition, as he, and all such, deserve the rigour of the law, to the fullest extent within capital punishment. I, myself, will take the liberty of interceding with your excellency to spare his life, which will be a signal act of mercy, and will confer a lasting obligation on your very humble and very obedient servant, PETER CAREY."

Shortly afterwards, the same gentleman addressed another letter to Lord Warwick, which has reference to the preceding. The following is a copy of it:

"My lord,—Your excellency has been informed of the happy success with which it has pleased God to crown our efforts in repressing the late rebellion, the ring-leaders of which have been sent to your excellency, to receive such punishment as you may deem fit; without which I fear that we might again fall into our first disease. Undoubtedly the evil had spread far and wide, and there still remain among us many bad subjects, who only keep quiet till they hear what punishment will be inflicted on those malcontents already sent to England; and should this be neglected, they soon would renew their seditious practices. But I feel assured, that the wisdom and justice of your excellency, and the affection that you bear to this little island, will dissipate all my fears of their escaping with impunity; and that you will award such a sentence as will fill all the disaffected with terror, and encourage the well disposed to redouble their exertions for the maintenance of public order. We are in a very tranquil state at the present moment, and I hope this may last; for which God be praised, and your excellency thanked. Your lordship, I trust, will excuse the liberty I take in being so importunate. Wishing you all prosperity, I remain, &c., PETER CAREY."

To this varied correspondence, Lord Warwick returned the two following answers, but the date of the first is not distinctly to be ascertained.

"To my very loving friend, Mr. Peter Carey, one of the commissioners of the island of Guernsey,—Mr. Carey, I thank you for your letters, and for the affection you therein testify to the peace and safety of the island of Guernsey, which, I pray you to continue to express by a care to nourish a good understanding among yourselves. For my own part, I shall omit nothing in my power that may tend to the rendering of you safe and happy; and amongst other means, I shall endeavour to bring to condign punishment those that shall disturb your quiet. I shall add no more at present, but my kind salutations to yourself, resting, Your assured friend, WARWICK."

The second letter is dated on board his Majesty's ship the James, in St. Helen's road, September 11th, 1644, and is evidently an answer to that part of Mr. Carey's correspondence, in which he complains of Sir Peter Osborn, and the malcontents, and in which he asks assistance in soldiers and vessels.

"To my very loving friend, Mr. Peter Carey.—Mr. Carey, I am very sorry that any cause of affront has been given you at Guernsey. Since the receipt of the letter that imparts it, I have been constantly at sea, and by means thereof at a distance from those remedies which shall be applied in due season. After my return to London, I shall testify my care for your reparations, so far as shall be convenient. In the mean time, I wish you to continue your assistance for the preservation of religion, and the public interests, which is a work very worthy of all honest men, to which you shall have all fitting encouragement from, Your very loving friend, WARWICK."

(To be continued.)

VARIORUM ADDENDA ON THE HISTORY OF THE CHANNEL ISLANDS.

Extracts from Bree's Sketch of this Kingdom, (England,) during the fourteenth century.—Printed, 1791.

Rot. 14, Edw. 3, p. 3, m. 46.—A proclamation, dated August 3d, at Berkhamsted, to the sheriffs, mayors, bailiffs, &c., to arrest, man, and victual ships in Portsmouth harbour, and all the other ports and towns upon the coast westward; to transport Thomas Ferrars, knight, with his armed force going to the relief of the inhabitants of Gerneseye, Jersey and Dureney, at that time in danger from the enemy's fleet, of galleys and ships of war.—*Harl. Manusc.* 4583, p. 432.

The indenture made the year before, between the king and council, and Thomas Ferrars, knight, for the defence and reparation of the fortifications of Gerneseye castle, is very curious and worthy of insertion.

Anno 13, Edw. 3, m. 32. (1339.)—Item, fait à remembre que Monsieur Thomas de Ferrars ad empris d'envoyer saunz delay un homme suffisant au chastel de Gerneseye, pour sursur les defautes et l'état de meisme la chastel ; par pleinement certifier ent au conseil, et en moen temps de trouver gages à ceux qui y demureront en garnisons illecques, tant que la some de cent livres, et le dit Monsieur Thomas ferroit pourvoir tote manere de morte garnisture pur le dit chastel, disore selon ce qui est requis per les messages du dit chastel. Et l'Ercevesque Canterburic et le Trésorier sont accordez, coment que serra fait à dit Monsieur Thomas trente tonneaulx de pomadre, cinquante quintals de fer, deux quintals d'acier, pur le meisme garniture ; et pur ceo que Guillaum Pein, un des juretz de l'isle de Gerneseye, es alors contre defens à les enemys ; soit brief maunde as bailliff et jurez de meisme l'isle de eslire un autre suffisant en son lieu, et de seiser ses terres, biens et châteaux en la main le roi à respandre ent les issues.—*Harl. Manusc. No. 14, p. 58.*

From the context, I apprehend the word *pomadre*, above recited, means gunpowder.

Anno 14, Ri. 2, m. 30. (1391.)—The king hath granted to the men of the isles of Guernsey, Jersey, Sarkke and Aurenay, that they, for the space of eight years, shall be free of all manner of tolls, exactions, and customs within the realm, as his liege people and denisons are.—*Harl. Manusc. No. 21, p. 179.*

Extracts from Thomas Burton's Diary of O. and R. Cromwell's Parliaments, from 1656 to 1659.—Vol. 1.

October 6 and 7, 1654.—Were wholly spent upon the distributions of the number of members to serve in future parliaments. We agreed with the instrument, in the whole number of four hundred, Jersey and Guernsey being left out, because not governed by our laws, but by municipal laws of their own, and we differed but little in the particular distributions.

January 8, 1656-7.—Resolved that the isles of Jersey and Guernsey and Wight, be left out of the bill. (for Excise.)

Mr. Bond and Mr. Downing.—These isles are poor, and were never charged in any time, not so much as with customs. All kings and queens were careful of the poor people.

Note to Burton's Diary, vol. 2, p. 165.

When the island of Jersey surrendered to Blake, in 1651, sixty thousand weight of poor John* were among the stores of the castle.—*Life of Blake, p. 46.*

Note in the Life of Sir Walter Raleigh, vol. 1, p. 92.

Sir Thomas Leighton,—governor of the isle of Guernsey, well versed in matters of state, as well as the army,—sent into France afterwards, in 1591, of special trust, to advise the Earl of Essex in his action there,—and author of "*Les Loix, Coustumes, et Usages de l'isle de Guernsey, différentes du Coustumier de Normandie, d'antienneté observées en la dite isle,*" a fair copy whereof, in eight sheets folio, is in the Harleian Library.

F. B. T.

GUERNSEY PROTECTED AGAINST PRESSGANGS.

A very great privilege anciently enjoyed by this island, was the exemption from being pressed into the naval service of his Majesty, of which we shall make two distinctions; the first, as it regards the native inhabitants; the second, as it relates to strangers who came here for purposes of trade or temporary sojourn.

This general privilege may be traced, in some respects, to a natural cause, to wit, our proximity to our most inveterate enemy in older times, the French, which has always obliged the inhabitants, in time of war, to be constantly on their guard against surprise or invasion. Our political constitutions being such, that every man from the age of sixteen to sixty

* "Poor John," we suppose, means codfish.

was bound to provide himself with arms and ammunition, and even to perform rather more duty than the regular troops, by often turning out to exercise,—to keep a strict watch round the island by night and day,—to repair the bulwarks,—to keep the garrison, when troops of the line were not in the island—and, in short, to perform all other necessary services required for our insular defence,—these several obligations induced Henry, Earl of Anjou, as Duke of Normandy and of these islands, to enter into a convention with our inhabitants, that in consideration of the sum of seventy livres, which they bound themselves to pay annually, they should be free from taxes and from the duty of serving abroad, unless it was to accompany the Duke in person for the recovery of England. This freedom and privilege are confirmed by the Extent of king Henry the Third, dated in his thirty-third year, 1249. These are the words of the document: *Homines totius insule communitur debent singulis annis, sicuti pro auxilio, sexaginta et decem libras turonen; Et per illas lxx libras quieti esse debent omnibus occasionibus, nisi tantum cum necesse fuerit ire cum corpore ducis Normannie ad Angliam recuperandam.* After the loss of Normandy, this yearly rent was made payable to the crown.

Our Precept of Assize, drawn up by royal Commissioners, in the reign of king Edward the Third, taking notice of the proximity of this island to the French coast, declares that, on this ground, and in consideration of the sum of 69 livres and 3 sous annual rent, called *Aide du Roi*, to be paid to the crown by the inhabitants, they shall not be compelled by any brief from the king, or from any other authority, to go out of the island, notwithstanding which, his Majesty may command the services of coast pilots.

There is no doubt that the king of England, who enjoys these islands as his patrimonial right from the dukes of Normandy, is our sole legislator, and we entirely depend upon his royal pleasure. He may, at all times, by a special order, command the services of any of the inhabitants; yet, by this equivalent which is still paid to his Majesty's receiver, it is clear it can only be exercised on very extraordinary emergencies, as is more fully explained in several old charters, in which it is expressly mentioned that the inhabitants of the isles of Guernsey, Alderney, and Serk "are free, and exempt, and acquitted from all works and expeditions of war, except in case the body of our sovereign, or of his, or her, heir and successor should be taken and put in prison by the enemy.

The pressing of strangers arriving at, or going out of, this island, is no less contrary to our ancient rights and liberties.

Our ancient sovereigns, sensible that the inhabitants of this island could not flourish without trade, have at all times encouraged our commerce, and held out inducements to foreigners, as well as to the English, to resort hither with goods and merchandize, of which many instances might be given. But it is sufficient for our present purpose to refer the reader to the article on the "Ancient Commercial Privileges of Guernsey," published in the June number of this Magazine, which shows that, even in time of war, no vessel could be captured by British cruisers, either in the harbour of St. Peter's Port, the roads, or within any distance of the coast discernible by the eye. If, then, pressing had been allowed, our people would have been treated with less liberality, than even a foreign enemy, and indeed such a practice would have been a direct violation of our insular privileges.

Many attempts, however, were early made by the officers of the royal navy to press Guernsey men into the service, but this arose from their ignorance of our political constitutions, by which we are not subordinate to any other power than his Majesty in council, therefore a warrant from the admiralty has no force here, nor any act of parliament, unless it be registered at the Greffe, with the sanction of the Royal Court. It was, however, contended by those who insisted on the right of pressing in Guernsey, that at the time our charters, which exempt us from serving abroad, were granted, we then enjoyed the privilege of neutrality, which William the Third in some measure curtailed, and that, by our fitting out privateers every war since that

period, we had forfeited the immunity formerly guaranteed. But this argument is more plausible, than real; it is true that we broke the treaty, so far as the French were concerned, by capturing their marine, for there is a clause in the charter by which they are not to be molested: but this did not invalidate our compact with the English; for we have shown that this exemption was purchased for a yearly rent of seventy livres, many centuries before the privilege of neutrality, which was not granted till 1472, before which time the island sustained many invasions from the French, with whom we were then at war, and against whom we fitted out privateers, as we have always continued to do. Of this we find a clear proof in Riley's *Placita Parliamentaria*, folio 467, which is an abstract of an order from king Edward the First to Henry de Cobham, governor of these islands, commanding the restitution of fifty-seven hogsheads of wine seized by him, and detained from Thomas de Aisterfeld, who had taken them in a ship at sea from the enemy, and brought them into Guernsey, the king declaring his royal pleasure to be, that all effects taken by the inhabitants of these islands from the enemy, should remain their sole and exclusive property.

It would then be absurd to suppose, because our inhabitants have annoyed the enemy by our privateers, and thus rendered good service to the British crown, that this should be deemed a justification for introducing the pressgang, in violation of our ancient privileges guaranteed by charter, and resting on a specific contract, to wit, the payment of seventy livres annually. Nor is it true that king William the Third ever intended to abrogate the charter, as some uninformed persons have asserted. The historical fact is this: When that monarch joined the quadruple alliance, he certainly prohibited all trade between the Channel Islands and France, *but it was only to last during that war*; for he expressly declared, that it was not his intention, in any manner whatsoever, to revoke or infringe any privilege that might have been granted by his royal predecessors to the said island of Guernsey.

This is very far from breaking our charters. It might as well be said, that a temporary suspension of the Habeas Corpus Act annihilates the constitution. Moreover, the king, soon after he had issued this prohibitory order, gave a substantial proof of the respect that he entertained for our institutions, when, on an application from the inhabitants, in relation to the land service, he promulgated another order, in which he declared that no inhabitant of the island shall be, for the future, taken into any company as a soldier in his Majesty's pay; and further, that such inhabitants, as are now enlisted, shall be discharged, as soon as the officers commanding their respective companies can, by their utmost diligence, procure other men to serve in their place. Therefore, if by our great zeal, loyalty, and attachment to the British government, we may have lost one branch of our privileges, to wit, neutrality in time of war by attacking the vessels of the enemy with our privateers, we still ought to have remained entire in our rights in relation to England.

After Queen Anne's war, a valuation was made of all the prizes taken from the French during those hostilities by the English marine, and it then appeared that, in point of *number*, though not in point of *value*, the privateers of Guernsey and Jersey had taken more vessels from the enemy than the united navy of England. During the last war, the islanders were most efficient supporters of the empire on the sea, and Edmund Burke did not hesitate to class them among the maritime powers of Europe. In the event of their services being required on any future occasion, their past exertions are the most satisfactory guarantee of their future conduct, and, as the islands are the outposts of the kingdom, it is neither just or politic to diminish our small population by means of the pressgang. Indeed, to that method of manning the fleet, we totally object on principle: but we particularly insist on the unjustifiableness of introducing it into these islands, our people being exempted by the solemnity of charters.

We are tempted here to make one remark, as to the Guernsey Militia, though it is not strictly relevant to our subject. Some writers in our local

papers are constantly attacking this military corps, and calling for its suppression. We are not disposed to argue this point at any length, though we entirely differ from these critics in their sneers at what they call the "Guernsey Army." But we wish to observe that this establishment is an essential part of our insular constitution, and so long as it exists, no Guernseyman can be compelled to serve abroad as a soldier; as we have shown from the Precept of Assize drawn up by the Commissioners in the reign of king Edward the Third. But, if the local militia be suppressed by the voluntary act of the inhabitants, this protection and immunity would be at once forfeited. We throw out this hint to our contemporary brethren of the "fourth estate," and as we do not suppose that any of them desires to see our privileges further curtailed, we recommend them to desist from agitating a question which, if carried according to their wishes, might at some future day lead to the expatriation of perhaps some of their own relatives.

THE GUERNSEY BEACHES.—No. 1.

GORBAN.

SOME great man advises those who would write well, to study the expressions that please them most in others, and to write accordingly. As this advice relates to the *manner* of writing, so should it bear also on the *matter*; and as nothing interests me more in accounts of other countries, than local matters and country manners, I judge of others by myself, and presume to think that an account of the value of our beaches, and the way of working the different products, may not prove uninteresting. I may, in future numbers of this Magazine, touch on fish, sea-weed, sand, &c., with the approximate quantities and value procured yearly. For the present, however, I shall confine myself to the GORBAN, of which, though the beach is nearly drained, (it having been of such value, as fuel,) I should be sorry to see no record kept.

In the eastern part of Vason bay, had lain for ages this GORBAN, unnoticed and unvalued until about eighty years ago, when an ancestor of the Guille family, having, it is said, dried a few pieces, and found them good fuel, recommended its use among his poor neighbours; like most other things newly brought under notice, it was not, however, for a long time fully appreciated; it was only about thirty years since, that farmers began to be alive to its value; and, uniting in gangs of two or more families, dug regular pits for the GORBAN, during low tides. Before this time, small quantities only were hoed at the surface. Few of the minor works of man can be more interesting than that at these pits. As soon as the tide receded, and after having sounded the soil with pointed rods, the pit was begun by removing, in a diameter of ten or twelve feet, and sometimes to a depth of two or three feet, the sand or pebbles that had accumulated, as the surface of the GORBAN had been lowered, making a defence of it against the sea. When arrived on the firm GORBAN, stakes, supporting boards, were stuck into it to preserve the sides; a little drain was also cut all around to receive the water that oozed through the sand, and a boy placed to bale it out and keep the pit dry. The men then set to, and worked with a will, not like *slaves*, but like *freemen* who are working for themselves and families; two or three of them, armed with heavy hoes as sharp as knives, whirling them with force over their heads, cut into it, whilst others flung up the pieces, which were carted on shore. They also gained at the sides, making the pit much in the shape of a decanter. I have been let down into one of this kind, and found it a most comfortable refuge against the sleet that was sharply drifted above. They worked unceasingly, until the rising tide obliged them to abandon it, but not till the sea had repeatedly broken in. I have seen, in a very deep pit, the sea break in at once, bringing down shingles, sand, and boards, on two or three men, and hurling them down the ladder; one of them, an old

man, was not seen for some seconds; the first part that appeared was a hand, holding the *spirit bottle*, which, in his danger, he had not lost sight of—the man himself twirling round with the eddy formed by the sea falling into such a funnel, until rescued by his companions.

This precious substance—it may well be so called, when its value, as stated below, is considered—to which we can give only the English name of *PEAT*, is very unlike the description given of that article; it is firm and perfectly dry, composed entirely of oak, hazel, willow, and other trees, with their leaves mixed with soil; some of these trees have been found so hard that pits were obliged to be abandoned. Although the *GORBAN* is sometimes covered with shingles, a single stone was never found in it; there have, however, often been found nuts, very well preserved, birds' nests, and also, but more rarely, earthen jars, glass bottles, pieces of copper and druids' CELTS.* One was found by, and now is in the possession of Mr. De La Rue, du Croc. How and when all this was jumbled together, I am not aware that any thing certain is known. The only thing tradition has left us is, that this was a forest, chiefly of oaks, since submerged by the sea, in which swine were formerly sent to fatten on acorns in autumn, on paying a certain duty called *pesnage*, which is continued to this day, and paid to the lord of the manor. The *GORBAN* occupied a space of about thirty-two acres, or one hundred and sixty thousand square yards, and the farmers who have worked it, compute that it has been dug on the average at least three yards in depth—some pits, where the tide gave leisure, have been sunk as deep as eighteen or twenty feet, but others, at the lower part of the beach, only three or four. This gives a total of four hundred and eighty thousand cubic yards, or loads, which, (and it is rather below than above the value,) at two shillings and six pence the load, makes the vast sum of £60,000; as the great demand for it lasted during some twenty years, it may be calculated that about £2,000 was, during that period, yearly got out of the Vason. Of its value, as fuel, those can chiefly judge who have been obliged to retreat to the extremity of our farmers' large halls, on the evening of a *grande quérue*, from the intense heat of a *fouaie d'Gorban*, piled on the hearth in lumps, the middling size of those of sea coal, well sheltered behind with the smaller pieces, or dried turf, cut for that purpose.

The *GORBAN* is also found in other parts of the beaches, but in such trifling quantities as are not worth recording. It has been dug to some extent in the estate called "*Mare de Carteret*," where it is sold for £5 a perch, or forty-nine square yards, at the surface, as well as at the "*Grande Mare*," the "*Marais*," and in some vallies in the interior of the island, such as that along the Talbots road, and others, where immense quantities of hazel nuts are found, some with the kernel sounding in them. I have such in my possession. The *GORBAN* in these places is, however, no where so good as that of the Vason, but yet very valuable and eagerly sought after as winter fuel.

Câtel.

L. B.

COMMUNICATION WITH ENGLAND.

THE article under this title in the first volume, page 375, containing a few inaccuracies, although our data were obtained from the fountain head, we hasten to correct them, and take the opportunity at the same time to introduce a few more particulars, for which we are partly indebted to Jacob's Annals of Guernsey.

Weymouth packets.—The steamers, Watersprite and Ivanhoe, commenced plying in 1827, the former arriving here for the first time on Sunday, 8th July. In 1828, the steamer Meteor was also placed on the station. These three steamers

* It would be useless to attempt to persuade some of our countrymen, that these cases, of which a great number have been found in the island, are not thunderbolts. According to them, they also act as insurers against fire, the house where they are kept not being subject to be burnt! There are several of these at the Mechanics' Institution of Guernsey.

were only of sixty horse power, and not eighty as first stated. The cutter Hinchinbrook, and not the Rover, was wrecked on Alderney, 2d February, 1826, and not in 1825.

Southampton steamers.—The *Ariadne* and *Lord Beresford*,* of sixty to seventy horse power, commenced running in 1824, and not in 1823, as stated. The *Ariadne* left Southampton, on her first voyage, at six o'clock, a.m., 6th June, 1824, and arrived in Guernsey at seven o'clock, p.m., reaching Jersey at eleven o'clock the same evening. The *Beresford*, having passed Guernsey a few days previously for Jersey, arrived in the former, from the latter island, 11th June, 1824. During the summer of 1824, the *Beresford* ran from Portsmouth, but in 1825, she was removed to Southampton. With the single exception of the *Ariadne*, on her first trip, the Southampton steamers have left that place at about six o'clock in the evening, so as to approach the islands during the following day.

The *Atalanta*, of three hundred and fifty to four hundred tons, and one hundred and twenty horse power, commenced plying between Southampton and the islands, in August last, and, in point of speed, has proved herself superior to any steamer yet seen on the station, occasionally making the passage between Guernsey and Southampton under ten hours.

In June, 1826, the *Sir Francis Drake*, steamer, of about sixty horse power, commenced plying from Plymouth to Guernsey, and this season, for the first time, she ran weekly to both islands.

The first steam vessel ever seen in Guernsey, was the *Medina*, of about one hundred tons, expressly hired to bring Colonel Fitzgerald and his family, from Southampton. He arrived here 10th June, 1823, after a passage of fifteen hours, and, as will be easily supposed, the pier and the various eminences were crowded to have a view of her as she came in. The second steam vessel was the *Royal George*, of three hundred and eighty-seven tons, which arrived here on the 6th September, 1823, with Sir John Milley Doyle, on his way to Spain. The third was the *Ariadne*, in 1824.

Before steamers were established between England and the Channel Islands, many of the old pilots and masters of vessels asserted that they were not fitted to cross during the winter, and that they would never succeed in making any progress in the Little Russel, against a strong breeze and a spring tide. Time and experience have proved the fallacy of both these assertions, and the fact is, that steam are safer than sailing vessels for short distances, because if they leave, in moderate weather, they generally reach their destination before a gale commences, or at least, reaches its height.

The following is an official statement of the tonnage, power, and cost of the Weymouth packets, now on the station :

Names.	Tons.	Horse power.	Cost.
Flamer.....	165.....	60.....	£7190
Watersprite.....	162.....	60.....	8770
Ivanhoe.....	158.....	60.....	6352

navigated by a crew of twelve men each, including the commander, whose annual wages average £862,—and the number of passengers conveyed by these packets to and fro, in 1835, was 7218.

Two steamers of three hundred tons and one hundred horse power each, would easily bring the mails twice a week—be probably less expensive—and be certainly far preferable in point of expedition, comfort, and safety, particularly in winter. If the *Lady De Saumarez*, in summer, can ply twice a week, between Southampton and the islands, and once a week between Jersey and St. Malo, thus running nearly seven hundred miles weekly, surely, in the event of one packet requiring repair, the other could bring the mails twice a week for a short time, as in that case she would only run four hundred miles. F. B. T.

LAWS AND CUSTOMS OF GUERNSEY.—No. 4.

CRIMINAL LAWS.

THE *criminal laws* originally observed were founded on the old Norman code, but that has long since been gradually giving way to a system more consonant with the spirit of the times and an improved state of society. Customs and precedent,

* The first cost and outfit of this vessel was £7,863 : 4 : 10.

together with a dispassionate consideration of the aggravating or extenuating circumstances of each particular offence, may now be said to have alone any influence with the court in the awarding of punishment.

The crimes punishable with death, which is inflicted by hanging the culprit, are murder, rape, arson, highway robbery, and burglary; but it is only to the first of these, murder, that the punishment of death is in fact attached; all the others, unless accompanied by circumstances of a very aggravating description, being generally punished by the whip, solitary confinement on bread and water, and banishment, either perpetual or limited, from the island. In some cases, these three modes of punishment are inflicted for the same offence; in others, solitary confinement alone, or attended with banishment; but the whipping is never inflicted without its being followed by banishment.

Larceny, and also assault when of a serious nature, are punished by public whipping, imprisonment, or banishment; but as the persons accused of these offences are never proceeded against à l'*extraordinaire*, (i.e. are never put upon their trial by the same form of process as in cases where life may be forfeited,) the term of banishment must always be under seven years, as otherwise it would be accounted civil death, and entail confiscation of property.

From various articles published in preceding numbers of this Magazine, our readers have learned, that the Channel Islands possess a legal jurisdiction of their own, which is entirely independent of the courts at Westminster; and, moreover, that no act of parliament has the force of law within these bailiwicks, unless registered in the insular *greffes*, or record offices, with the approbation of the bailiff and jurats. Now, since the privileges of Guernsey and Jersey are of Norman origin, and as in those early times, when the inhabitants lived under the sway of the Dukes of Normandy, there were no penal settlements, the local *ducal* courts could only banish a malefactor out of *their own* jurisdiction, and this limited power descended to the *royal* courts, which succeeded them, when Normandy was severed from England. In recent times, this restriction has been attended with great inconvenience. A criminal, sentenced to banishment by the court of Guernsey, satisfied the law, by quitting the island: so that he could remove to Jersey or England, and thus escape due punishment. This interchange frequently occurred between the sister islands. Many ignorant or malicious writers have reproached the local courts with making England a penal settlement to the islands; but the absurdity and baseness of this charge is obvious, when the real facts are duly weighed. If an Englishman commits a crime in Guernsey, not punishable with death, but with transportation, the law empowers the court to remove him from the island, that he may no longer commit depredations; and, as an Englishman, he may claim to be shipped to his own country. So sensible have the courts been of this clumsy mode of punishment that, recently, in the case of two Frenchmen, convicted of circulating false coin in Guernsey, the authorities made an official representation to his Majesty in council, and these men, the first on record, were transported by order of the British government, to Botany Bay. This precedent has been followed in Jersey. The murderers Marin and Caillot, and since then, four notorious and incorrigible desperadoes, have received the same sentence. This is a most happy change, and will produce the best effects in repressing crime.

Whenever the punishment of death is inflicted, or the offender is sentenced to a banishment of seven years, or any term exceeding it, the whole of his property, both real and personal, is forfeited to the crown.

It is to be regretted, that this remnant of feudalism, by which an innocent offspring is punished for the sins of a guilty parent, even after that parent has atoned to society by the forfeiture of his life, should not, like many other barbarous usages that formerly disgraced our criminal jurisprudence, have long since been utterly abolished. That the principle of confiscation owes its origin to feudal policy, is evident. When the Germanic tribes conquered western Europe, the chiefs, as stated in our description of real property laws, granted considerable portions of land to their most distinguished officers or trusty advisers, who thereupon were called lords. These, afterwards, ceded small portions of it to their soldiers or other dependents, who thenceforth were called vassals. The lord held his property from the prince on the condition of fealty and homage, and the vassal from the lord on the condition of his performing certain services, and holding himself ready to follow him to war. Any breach of fealty, or violation of the contract between the grantor and grantee, was of course sure to be followed by a resumption of the land. This principle was afterwards extended to such crimes against society as entailed the forfeiture of the offender's life, and, in process of time, this extension

was so generally acted upon, that servile civilians—themselves the creatures of the lords—laid it down as an indisputable axiom, that “whosoever confiscates the body, confiscates the property.”

Thus then, the law of confiscation was part and parcel of a system of government, under which men were little better than slaves, and which therefore was utterly incompatible with the existence of civil or social rights. That system has long since passed away, and that principle of it, under which innocent orphans are reduced to the condition of beggars by being deprived of their parent's property, is so opposed to justice, and so revolting to all the best feelings of humanity, that to retain it in a system of criminal jurisprudence is a disgrace to any civilized country. “Penal laws,” observes Dr. Colquhoun, “which are either obsolete or absurd, or which have arisen from an adherence to rules of common law,—when the reasons have ceased upon which these rules were founded,—and in short all laws which appear not to be consonant to the dictates of truth and justice, the feelings of humanity, and the indelible rights of mankind, should be abrogated and repealed.”

Exposure in the pillory on market days, was formerly a very common mode of punishment, but so public an exhibition having been deemed repugnant to the feelings of the age, it has not for many years past been resorted to, and, in all probability it will never again be revived. The reasons that led to its abandonment dictate, in as equally clear a manner, the propriety of erecting the whipping post in the jail yard, instead of in the market-place. Experience has shown, at least in Guernsey, that public punishments of this nature are very far indeed from answering any good purpose. The respectable portion of the community—all who set any value on their reputation, or whose feelings have not been blunted by familiarity with cruelty or crime—shun, as it were from an instinct of nature, the sight of such exhibitions, and therefore should not be compelled to be the unwilling spectators of any part of them; whilst the characters who throng round the whipping post are generally the dregs of society, the very lowest rabble, who, if the culprit bear his punishment with fortitude, or give proof of insensibility or obduracy under its infliction, will be led to regard him as a hero, and therefore, to lose sight of his crime in their admiration of his conduct,—whilst, on the other hand, if he exhibit symptoms of distress under the punishment, their sympathies will be excited, and along with them a secret hatred of the law which inflicts that punishment, and, of course, a want of respect for law in general.

Treason, false-coining, and laying violent hands on the Bailiff or Jurats, whilst in the discharge of the duties of their offices, are reserved for the cognizance of the king in council.

Libel, slander, and all minor cases of assault or battery, are not prosecuted by indictment, but by a civil action for compensation in damages, in which one of the crown lawyers is adjoined to each party, and the defendant, when found guilty, is condemned to pay damages to the prosecutor, and mulct in a trifling fine to the king.

The power possessed by the court of enhancing or mitigating the severity of punishment according to the circumstances of each case, has at times been made the subject of ungenerous animadversion, and the advantages of a code which would lay down the punishment attached to each offence have been confidently asserted. It may however be doubted whether the establishment of such a code would at all tend to improve the administration of criminal justice. It is the object of a code to classify crimes, and to declare the punishments due to each of them; but crimes classed under the same head may so endlessly vary in their extenuating or aggravating circumstances, that a punishment too mild for the one might be far too severe for the other. Indeed, criminal codes have been generally found so rigid and unbending, that, in numberless instances, the executive power, in order to prevent injustice, has been called upon to soften the severity of the code by modifying or commuting the punishment awarded. This, in England, is an every day occurrence. And to what can it be attributed but to its criminal code?—to a code which attaches the penalty of death to no less than *two hundred* offences, from the robbing of a handkerchief, or the cutting down of a fruit tree, or the breaking down of the mound of a fish pond, to the murdering of a fellow-creature!

But even admitting that a criminal code were necessary for large countries like England or France, so as to secure uniformity of administration throughout the length and breadth of the land, it certainly would not follow that such a code would be desirable for a small community like that of Guernsey. Where the population is not numerous, and the crimes committed are few, the punishment of

those crimes had surely better be left to the common than to the statute law; for while the latter remains relentless and unbending, whatever may be the circumstances of the case, and continues unchanged throughout succeeding generations, the former can mould itself not only to every individual case, but to the increasing humanity or liberality of the times. In Scotland, even at the present day, criminal justice is administered according to common, and not according to statute law; and this system has of late been lauded by several writers on criminal jurisprudence. "In regard to another important point," observes Baron Hume,* "the determining of the proper punishment of a crime when proved, I know some have imagined that the law of England, which fixes that matter by the precise letter of a statute, is preferable to ours, which leaves it in many instances to the discretion of the judge. Yet it is to this part of our system that we are chiefly indebted for the gentleness of our punishments. . . . I repeat it, therefore, and without fear of contradiction, that, generally speaking, and with a view to the ordinary course of vulgar practice, our custom of punishment is eminently gentle, and would be ill exchanged, by the offenders at least, and I think by the country at large, for a numerous list of special and statutory rules. B—.

* Commentary on the Criminal Law of Scotland.

SARNIAN MELODIES.

No. 7.—THE TROPIC MOON.

Oh! calm and clear thy radiance played
O'er amber wave and wood-crowned height,
And mellow on the tangled shade
Beamed, tropic moon, thy lambent light.—
The spangled sky with stars shone bright,
No murmur from the wave arose,
All wore that air of soft repose
That best befits an Indian night.

Both on the glittering city damp,
Where the faint youth exhausted lay,
And on the mangrove brake and swamp
Thy clear though fevered beam did play;—
Oh! that so bright and pure a ray
Should on such scenes serenely glow,
Alike regardless on thy way
Of human ills, or human woe.

Alas! that hapless youth was come
From happier shores, once gay and bold,
Allured by fancied wants to roam
These fatal lands in search of gold.
Exhaustless source of ills untold,
Now, now, thy vaunted power display!
Be death's strong grasp by thee controlled,
And quenched yon fever's fiery sway.

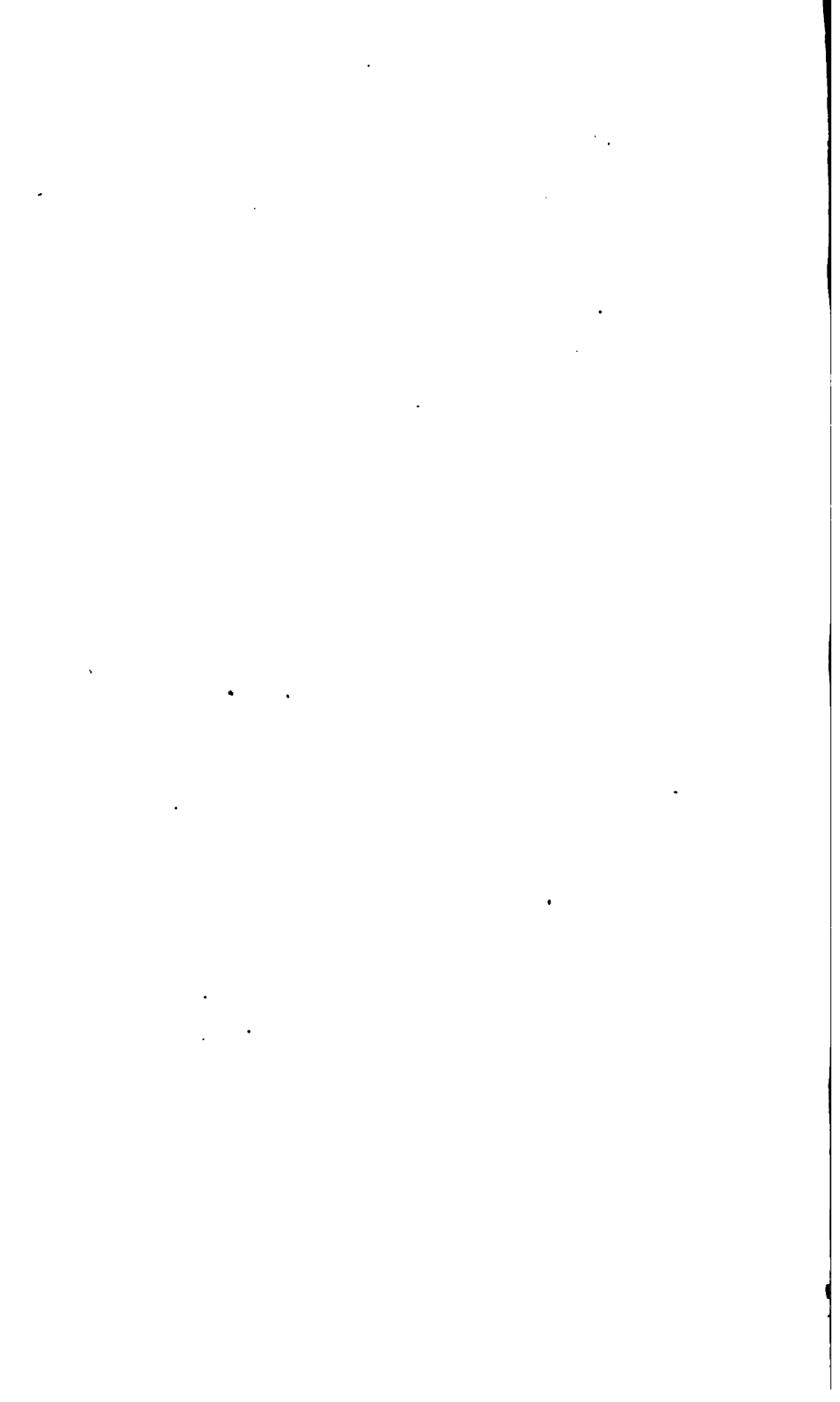
A transient spark illumines his eyes,
Perhaps yon moon's dull, treacherous smile,
Recalls how full as lovely skies
O'ercanopied his native isle;
Where if a cloud bedims awhile
Her silver disc of purer hue,
The brilliant sameness to beguile,
'Tis brief as feuds 'twixt lovers true.

'Twere painting anguish's self to tell
His blasted hopes, his mental pain,
That night he felt, he knew full well,
Would free his soul from earthly stain;
And oft as moons shall wax and wane,
And mild their soothing radiance pour,
The maid weeps sadly o'er the main
That to his grave her lover bore.

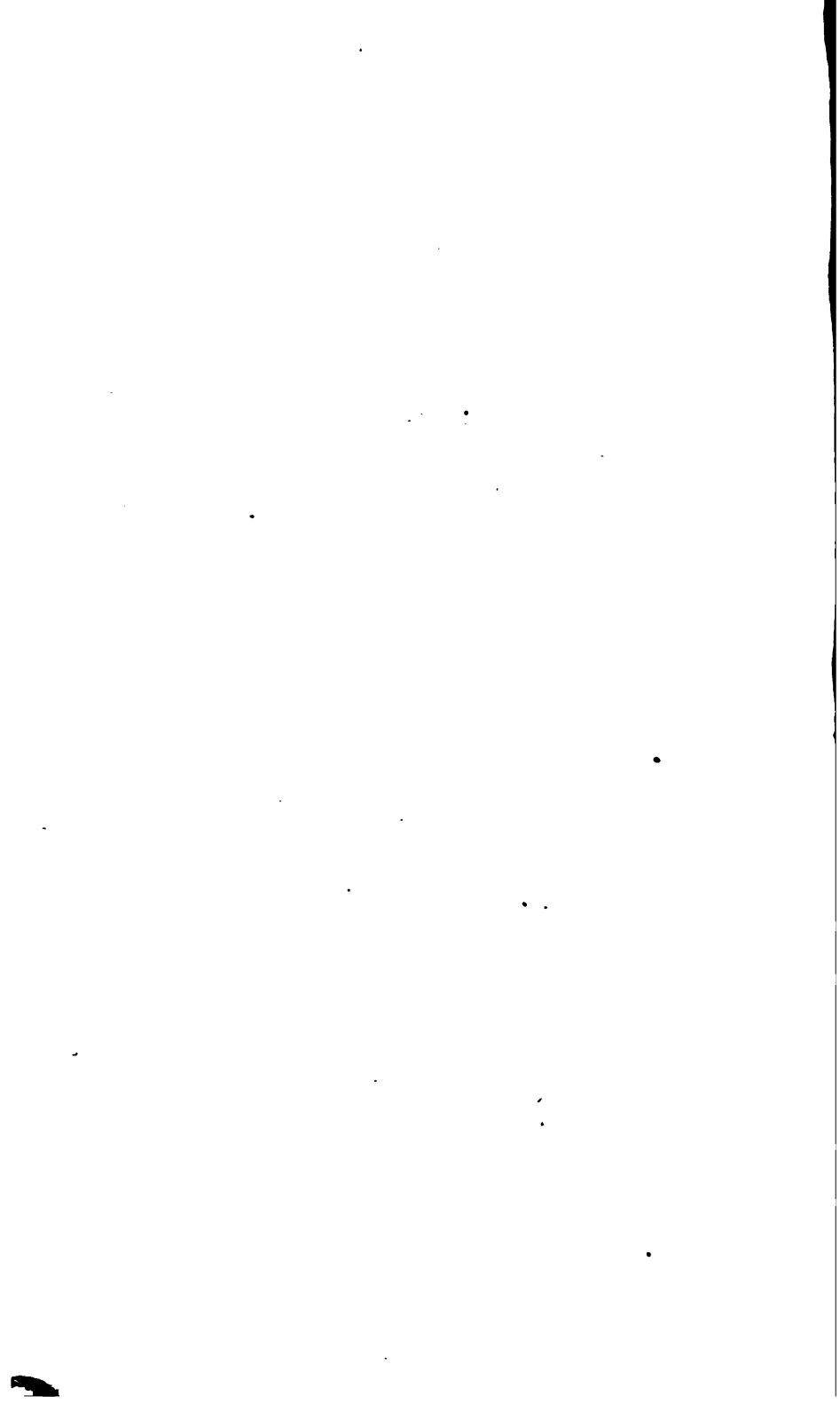
ERRATA.

In our Memoir of Lord De Saumarez, we erroneously stated the Christian name of the late Attorney-General to be "John;" it should have been "Thomas." — We were also inaccurate in stating that the Crescent carried forty-two guns; she only mounted thirty-six.










DEC 23 1997

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